



City of Abilene City Council Agenda

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

Anthony Williams, Mayor

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

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on December 17, 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:**

- Dee Lot - 25 Years - Technology Services

CONSENT AGENDA AND PUBLIC COMMENTS

All items listed in the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion or presentation of these items unless otherwise requested by a Council Member. In the event one or more Council Members remove an item from the consent Agenda for separate discussion or presentation, the item or items removed will be considered in numerical order as part of the Regular Agenda and shall include a public hearing.

After the Council Members have requested any item on the consent Agenda be considered separately, the public comment period will be held. The public comment section of the consent agenda allows members of the public to present any ideas or information to the City Council and staff, and also allows for public comment on the consent agenda items not otherwise pulled for separate consideration. Neither the City Council nor staff will engage in discussion with the public during the public comments unless the item is listed on the Council agenda.

Members of the public will have a total time limit of three (3) minutes to speak during the public

comments section.

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on December 2, 2021 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Professional Engineering Services for Maple Street Roadway Improvements Loop 322 to ES 11th St **(Greg McCaffery)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Agreement to Install Safety/Security Cameras and Access Controls **(Bob von Wolffrad)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on a Resolution of the City Council of the City of Abilene, Texas, Supporting and Confirming No Objection to Housing Tax Credit Application for Villages at Westlake Apartments LP **(Tim Littlejohn)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Keith Barton as an Assistant Municipal Court Judge **(Stanley Smith)**
8. **Ordinance (First Reading) CUP-2021-02:** Receive a Report, Hold a Discussion and Take Action on a Request from Thomas Paul Anthony (Represented by Enprotec/Hibbs & Todd, Engineering Consultants) for Approval of a Conditional Use Permit Allowing a Vacation Travel Trailer/Recreational Vehicle Park on 60.01 Acres Bordering the 2600-2700 Blocks (West Side) of West Lake Road in North Central Abilene. **(Tim Littlejohn)**
9. **Ordinance (First Reading) Z-2021-37:** Receive a Report, Hold a Discussion and Take Action on A Request From Abilene Forrest Hill LLC (Represented By Jacob & Martin, Civil Engineering) To Change Zoning On Approximately 10.6 Acres Of Now-Vacant Land From Residential Single-Family (RS-6) To A Residential Medium-Density (MD) District, And To Change Zoning On Approximately 22 Acres Of Now-Vacant Land From Residential Single-Family (RS-8) To A Residential Single-Family (Rs-6) District, All Approximately 32.6 Acres Of Which Are Located Approximately 1000 Feet East From The 6900 Block Of Old Forrest Hill Road And 1200-2200 Feet West From The 7100 Block Of Hardwick Road In South Abilene. **(Tim Littlejohn)**
10. **Ordinance (First Reading) Z-2021-39:** Receive a Report, Hold a Discussion and Take Action on A Request From Bobby Brown To Change Zoning From Residential Single-Family (RS-6) To A Neighborhood Retail (NR) District On Approximately 0.308 Acre Of Land At 2549 And 2601 Ross Street In South Central Abilene. Legal Description Being The West 78 Feet Of The North 172 Feet Of Lot 4 In Block 1 Of The Over Place Addition To The City Of Abilene, Taylor County, Texas **(Tim Littlejohn)**
11. **Ordinance (First Reading) TC-2021-07:** Receive a Report, Hold a Discussion and Take Action on A Request From Severo Garcia (Represented By Geotex Property Solutions LLC) To Abandon Certain Segments Of Unimproved Right-Of-Way Dedicated For Benbrook Street Extending As Much As 500 Feet West From Baker Street In Western Abilene, Leaving At Least A 30-Foot Width Of Right-Of-Way Therein To Function As An Alleyway **(Tim Littlejohn)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

12. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving an Ordinance establishing the 2022 Standards of Care **(Lesli Andrews)**

13. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Fiscal Year 2021-22 Budgets **(Mike Rains)**
14. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Creation of a Reinvestment Zone No. RZ21-1 being approximately 875 acres in Taylor County, Texas **(Robert Hanna)**

EXECUTIVE SESSION

15. **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. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
12. Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District, et al.; Cause No. P827783CV, in the 83rd Judicial District Court, Pecos County, Texas; filed September 11, 2020
13. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
14. Governor's Executive Orders - COVID-19

B. 551.072 (Deliberations about Real Property)

1. 4810 S 3rd
2. 204 S San Jose Dr
3. 4674 S 3rd
4. 4809 S 3rd

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. Project Artemis

RECONVENE

REGULAR AGENDA

16. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Consideration and Approval of Chapter 312 Tax Abatement Agreement(s) with Lancium, LLC in the Reinvestment Zone RZ20-01 located in Taylor County **(Robert Hanna)**

1. At the time of this notice, the name of the property owner is TXOK Investments, LLC, and it is anticipated that at the time of the approval of this Tax Abatement Agreement Rolling Plains EV Stations, LLC will be the property owner, and the applicant for the tax abatement agreement is Lancium, LLC.

2. The name of the reinvestment zone shall be the Reinvestment Zone No. RZ21-1 and the location is as follows:

A. TRACT ONE. Being 92.38 acres out of Section 23, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 92.38 acres being a part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

B. TRACT TWO. Being 285.90 acres out of Sections 53 and 54, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 285.90 acres being a part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

C. TRACT THREE. Being 191.18 acres out of Section 55, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 191.18 acres being a part of a 222.18 acre tract recorded as Tract Two in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

D. TRACT FOUR. Being 305.95 acres out of Section 24, W.W.SILLS Survey, Taylor County, Texas, said 305.95 acres being all of that same 305.95 acre tract recorded as Tract Three in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas.

3. The improvements to be included in the tax abatement agreement generally consist of an approximately 100,000 square foot permanent commercial building.

4. The estimated costs of the improvements are \$500,000,000.00.

ADJOURNMENT

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

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 10th day of December, 2021, at 2:45 p.m.

Shawna Atkinson, TRMC, CMC City

Secretary



**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

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 December 2, 2021
(*Shawna Atkinson*)

GENERAL INFORMATION

Approval of the Minutes from the Regular Meeting Held on December 2, 2021

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 12-02-2021 Minutes - Regular - Morning

**CITY COUNCIL MEETING
December 2, 2021 at 8:30 a.m.**

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

The City Council of the City of Abilene, Texas met in Regular Session on December 2, 2021, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with, Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Lynn Beard, Donna Albus, and Weldon Hurt. Mayor Pro-tem Kyle McAlister was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and Deputy City Secretary Kaitlin Richardson.

Mayor Anthony Williams delivered the invocation.

Ivy Waldron, 4th grader at Ward Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 2-17. No items were pulled for individual consideration.

PUBLIC COMMENTS

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

- David Swart – spoke about item 4 and his understanding of it being about funding. Mr. Swart also reminded everyone that Tuesday is the 80th Anniversary of the attack on Pearl Harbor.
- Dorothy Clay – spoke about making Abilene a sanctuary city for the unborn.
- Senator Perry – stated that he grew up in Sweetwater and looks forward to serving everyone and the community. Senator Perry stated it is good to be back home and feels very welcomed.

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

CONSENT AGENDA

Councilmember Hurt moved to approve the consent agenda, consisting of items 2-17. Deputy Mayor Pro-tem Craver seconded the motion. Motion carried.

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

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

Councilmember Hurt voted differently on item 4 only. The vote for item 4 was as follows:

AYES (5): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus

NAYS (1): Councilmember Hurt

ABSENT (1): Mayor Pro-tem McAlister

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on November 18, 2021

3. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter

[ASSIGNED RESOLUTION NO. 204-2021]

Board	Term End Date
<i>Abilene Housing Authority</i>	
Tim Evans [Reappointment]	November 2023
<i>Abilene-Taylor County Child Advocacy Center Board</i>	
Aubri Ward [New]	December 2024
<i>Civil Service Commission</i>	
Blair Schroeder [New]	November 2024
<i>Development Corporation of Abilene</i>	
Sam Vinson [Reappointment]	November 2024
Vic Corley [Reappointment]	November 2024
<i>Keep Abilene Beautiful</i>	
Kyle Tolliver [New]	September 2023 [unexpired term]
<i>Landmarks Commission</i>	
Michael McClellan [Reappointment]	November 2024
<i>Neighborhood Services Advisory Board</i>	
Jori Sechrist [Reappointment]	November 2023

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19)

[ASSIGNED RESOLUTION NO. 205-2021]

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Stop Loss Insurance Coverage for Health Plan Year 2022

[ASSIGNED RESOLUTION NO. 206-2021]

6. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve the Maximum Fares and Charges of Taxicabs under Chapter 31 of the Code of Ordinances, "Vehicles for Hire"

[ASSIGNED RESOLUTION NO. 207-2021]

7. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve a Resolution to Authorize Expenditures that May Exceed \$50,000 with Miscellaneous Vendors the City uses in FY22

[ASSIGNED RESOLUTION NO. 208-2021]

8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid to Justice Construction for accessibility renovations to City of Abilene Council Chamber

[ASSIGNED RESOLUTION NO. 209-2021]

9. Resolution: Receive a Report, Hold a Discussion, and Take Action on Awarding the Rebid for the Purchase of Bulk Citric Acid to be used for Water and Wastewater Treatment Processes During Fiscal Year 2022

[ASSIGNED RESOLUTION NO. 210-2021]

10. Resolution: Receive a Report, Hold a Discussion, and Take Action on approval for purchase of a playground for Vaughn-Camp Park from WeBuildFun, Inc

[ASSIGNED RESOLUTION NO. 211-2021]

11. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on approving an Ordinance establishing the 2022 Standards of Care and Setting a Public Hearing for December 17, 2021

12. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending the Fiscal Year 2021-22 Budgets

13. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on the Creation of a Reinvestment Zone No. RZ21-1 being approximately 875 acres in Taylor County, Texas

REGULAR AGENDA

14. Presentation: Receive a Report and Hold a Discussion and Public Hearing on completion of the AMI Meter Replacement Project and a Tutorial of the Customer Portal

Rodney Taylor, Director of Water Utilities, presented the item. Mr. Taylor summarized key information regarding the project schedule and costs. Amanda Pope, Public Information Coordinator for the Water Department, gave a brief tutorial on the customer portal, as well.

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

- David Swart – stated that technology is good, but it sacrifices jobs, and that he has had a few problems with the customer portal already.

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

This item was for presentation only. No votes or action were taken.

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Creating Abilene Neighborhood Empowerment Zone #2, Amending Abilene Neighborhood Empowerment Zone #1, and Creating an Infill Development Plan
[ASSIGNED RESOLUTION NO. 203-2021]

Robert Hanna, City Manager, presented the item. Adoption of the item would create Abilene Neighborhood Empowerment Zone #2, Amending Abilene Neighborhood Empowerment Zone #1, and Creating an Infill Development Plan.

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

- Rosten Callerman – spoke on behalf of the Habitat for Humanity and stated that he is concerned with people being left behind with the increased property value and amount for homes. Habitat for Humanity is working on a plan to aggressively work on building lower dollar amount homes for the lower income families to afford.

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

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

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

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

16. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 17, "Misc Provisions", Article III, "Metal Recycling Entities and Precious Metal Buyers", Section 17-68, "Permit Expiration" of the Abilene Municipal Code
[ASSIGNED ORDINANCE NO. 67-2021]

Shawna Atkinson, City Secretary, presented the item. Adoption of the item would amend Chapter 17 of the City Code, to allow a five year permit option for metal recycling entities and precious metal buyers.

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

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

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

17. Ordinance (Final Reading) Z-2021-30: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Hit Ventures LLC to Change Zoning from Agricultural Open Space (AO) to a Neighborhood Retail (NR) District on Approximately 4.51 acres at 3250 Beltway South
[ASSIGNED ORDINANCE NO. 68-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to a Neighborhood Retail (NR) District.

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

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

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

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

Mayor Williams left the Council Chambers for a short break. Deputy Mayor Pro-tem Craver presided in his absence.

18. Ordinance (Final Reading) Z-2021-31: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Jeffrey C. Snead to Change Zoning from Agricultural Open Space (AO) to a General Commercial (GC) District on Approximately 36 Acres of Land at 3658 East Highway 80 in East Abilene
[ASSIGNED ORDINANCE NO. 69-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to a General Commercial (GC) District.

Deputy Mayor Pro-tem Craver opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Mayor Pro-tem McAlister

19. Ordinance (Final Reading) Z-2021-32: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Weatherbee Construction Inc. (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) To Change Zoning From Agricultural Open Space (AO) To A Residential Medium-Density (MD) District On Approximately 14 Acres Of Land at 665 East South 27th Street In Southeast Abilene

[ASSIGNED ORDINANCE NO. 70-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to a Residential Medium-Density (MD) District.

Deputy Mayor Pro-tem Craver opened the public hearing. The following addressed the Council:

- David Todd, represents the applicant – stated that the applicant is just combining the property to the east with other property they already own and was rezoned not too long ago.

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

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Mayor Pro-tem McAlister

20. Ordinance (Final Reading) Z-2021-33: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Sitzes Brothers LLC (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) To Change Zoning From Residential Multi-Family (MF) To A Planned Development (PD) District Allowing Uses Commensurate With Residential Multi-Family (MF) Zoning As Well As Self-Service Storage, On Approximately 1¼ Acre Of Now-Vacant Land At 3750 Rolling Green Drive, In South Abilene

[ASSIGNED ORDINANCE NO. 71-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Multi-Family (MF) to a Planned Development (PD) District allowing uses commensurate with Residential Multi-Family (MF) Zoning.

Deputy Mayor Pro-tem Craver opened the public hearing. The following addressed the Council:

- David Todd, represents the applicant – stated that this plan will forgo extending sewer to the site, and is a really good use of the property.

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

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Mayor Pro-tem McAlister

21. Ordinance (Final Reading) Z-2021-34: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Christopher Blake Howard (Represented By Jacob & Martin LLC) To Change Zoning From Residential Single-Family (RS-6) To A Residential Single-Family Patio Home (PH) District On Approximately 2.78 Acres Of Now-Vacant Land At 1633 Griffith Road
[ASSIGNED ORDINANCE NO. 72-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Single-Family (RS-6) to a Residential Single-Family Patio Home (PH) District.

Deputy Mayor Pro-tem Craver opened the public hearing. The following addressed the Council:

- Tal Fillingham, represents the applicant – stated that this request is to develop seven single-family lots and is the same developer of Griffith Lakes.

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

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Mayor Pro-tem McAlister

22. Ordinance (Final Reading) Z-2021-35: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Broadview Baptist Church (Represented By Les Campbell) To Change Zoning From Residential Single-Family (RS-6) To A Neighborhood Retail (NR) District On 0.3271 Acre Of Land At 2414 South 27th Street In South Central Abilene.
[ASSIGNED ORDINANCE NO. 73-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Single-Family (RS-6) to a Neighborhood Retail (NR) District.

Deputy Mayor Pro-tem Craver opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Mayor Pro-tem McAlister

Mayor Williams returned and presided over the remainder of the meeting.

23. Ordinance (Final Reading) Z-2021-36: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Abilene Majestic LLC (Represented By Jacob & Martin LLC) To Amend Terms And Conditions Of Planned Development District Number 77 (PD 77) Specifically As They Affect 1.98 Acre Of Now-Vacant Land At 3850 Catclaw Drive In South Abilene, Expanding The Range Of Allowed Uses There To Include (Minor) Repair And Maintenance Of Automobiles And Small Trucks
[ASSIGNED ORDINANCE NO. 74-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would amend the terms and conditions of the Planned Development District Number 77 (PD 77) at the above referenced property, expanding the range of allowed uses there to include (Minor) Repair and Maintenance of Automobiles and Small Trucks.

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

- Tal Fillingham, represents the applicant – stated this is not an automotive repair business and they are just wanting to perform your typical oil change.

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

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

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

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:46 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

24. A. 551.071 (Consultation with Attorney)
1. Officer Mark Watson & the City of Abilene
 2. Cockrell Investment Partners, LP v Middle Pecos Groundwater Conservation District
24. D. 551.072 (Deliberations about Real Property)
1. 101 Cypress Street
 2. 1250 N 1st

The Executive Session ended at 10:06 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:06 a.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: _____



**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Gregory McCaffery

SUBJECT: 4. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Professional Engineering Services for Maple Street Roadway Improvements Loop 322 to ES 11th St (Greg McCaffery)

GENERAL INFORMATION

The scope of the project includes the reconstruction and widening of Maple Street from Loop 322 to ES 11th Street, which is approximately 3.2 miles of existing roadway within the existing right of way. The work includes demolition of existing roadway sections, asphalt paving, concrete curb and gutter, traffic analyses, and drainage improvements.

SPECIAL CONSIDERATIONS

A Request for Proposals (RFP) for Engineering Services for the project was advertised on August 1st 2021 & August 8th 2021. Four Proposals were received and evaluated. The City Staff determined the proposal from Jacob & Martin, Inc. was the best proposal received for this project.

The contract includes: Schematic Design, Construction Documents, Bid Administration, and Construction Administration.

FUNDING/FISCAL IMPACT

Funding for this project is allocated through 2021 Bond funds.

STAFF RECOMMENDATION

The contract with Jacob & Martin, Inc. is for a fixed fee in the amount of \$1,029,000.00.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. N maple resolution
2. North Maple Design Contract (1)
3. N MAPLE LOCATION MAP
4. N Maple ppt

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JACOB &
MARTIN, INC.**

WHEREAS, The City of Abilene desires to install public improvements associated with the portion of Maple St located between ES 11th St and Loop 322.; and

WHEREAS, The City of Abilene has selected Jacob & Martin, Inc. for the schematic design, construction documents, bid administration, and construction administration for said project; and,

WHEREAS, The City Council authorizes the City Manager to execute an agreement with Jacob & Martin, Inc. in the amount of \$1,029,000.00 for engineering services associated with the portion of Maple St located between ES 11th St and Loop 322.

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

- PART 1: The City Council authorizes the City Manager to execute an agreement with Jacob & Martin, Inc.
- PART 2: That the agreement is in the amount of \$1,029,000.00 for the design and administration of the public improvements.
- PART 3: That this resolution will take effect immediately from and after passage.

ADOPTED this 17th day of December, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



PROFESSIONAL SERVICES CONTRACT Engineers & Architects

This contract, dated the 17th day of December, 2021, is between the City of Abilene, a home rule municipal corporation of the State of Texas ("City"), and Jacob & Martin, a Civil Engineering Firm organized under the laws of the State of Texas ("Consultant").

The City is engaged in Reconstruction and Widening of Maple Street from ES 11th St to Loop 322 and desires to engage the services of Consultant, as an independent contractor and not as an employee, to assist in the project and to render his or her or its services on the terms and conditions provided in this Contract.

The Consultant is a[n] qualified engineer properly licensed to practice in the State of Texas. Consultant desires to render professional services to the City on the terms and conditions provided in this Contract.

The Consultant must perform services with the professional skill and care ordinarily provided by competent engineers or architects practicing in the same or similar locality and under the same or similar circumstances and professional license, and as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

THEREFORE, the City engages the services of the Consultant. In consideration of the mutual promises contained in this Contract, the parties agree as follows:

I. TERMS

In consideration of the compensation stated in paragraph II, the Consultant must provide all services as described in Attachment A, which is incorporated by reference for all purposes. The Consultant must complete all services by a mutually agreed upon date.

II. FEE

For the services to be rendered under this Contract, the Consultant will be entitled to a fee as described in Attachment B, which is incorporated by reference for all purposes.

III. FACILITIES

The Consultant will furnish all facilities and equipment that may be necessary to perform services required under this agreement.

IV. ASSIGNMENT

The Consultant 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. In the event of an assignment by the Consultant to which the City has consented, the assignee or assignee's legal representative must agree in writing with the City to personally assume, perform, and be bound by all the provisions of this Contract. All of the terms and provisions of this Contract are binding on Consultant's successors and assigns and may be enforced by the City against such successors and assigns.

V. STATUS OF CONSULTANT

The Consultant is an Independent Contractor. Consultant and Consultant's employees are not the agents, servants or employees of the City.

VI. AMENDMENT OR MODIFICATION

This contract, including 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 contract are of no effect. This contract may not be amended or modified except by both parties' written consent. This Contract supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Contract.

VII. OWNERSHIP OF DOCUMENTS AND MATERIALS

All documents and materials prepared by Consultant under the terms of this contract are the City's property from the time of preparation. Consultant will deliver copies of the documents and materials to the City or make them available for inspection *whenever requested*. City has the right to make duplicate copies of such documents or materials for its own file or use for any other such purposes as the City deems necessary and there shall be no additional costs incurred because of such copying or use.

VIII. NONDISCLOSURE

The Consultant may not show to any person or entity any documents, reports, plans, programs, reports, drawings, or any other material which Consultant prepares or acquires in performing this contract, including any duplicate copies kept by Consultant. The Consultant may not disclose to any person or entity any information regarding the City's activities. The City may, however, specifically authorize a limited disclosure at its discretion.

IX. 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.

“Consultant” includes the person, corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

“Consultant’s employees” shall mean any employees, officers, agents, subcontractors, licensee and invitees of Consultant.

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

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

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

B. Indemnity

The Consultant shall indemnify, hold harmless and defend the City against liability for damage that is caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the Consultant or the Consultant’s agent, or another entity over which the Consultant exercises control.

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

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

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

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

X. INSURANCE

A. GENERAL REQUIREMENTS

The Consultant agrees to maintain the type and amounts of insurance required in this contract throughout the term of the agreement. The Consultant is solely responsible for providing the required certificates of insurance. The City may terminate this agreement if the Consultant fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to City, under any third party liability policy.

Before the City executes the notice to proceed with any work under this agreement, the Consultant must provide the City Secretary with either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance. Thereafter, the Consultant must furnish new certificates or copies of the policy before the expiration date.

Texas Labor Code Section 406.096 requires a city to ensure that contractors carry workers' compensation for each employee when the city is a party to any "building or construction contract." The code enumerates that "building and construction" includes:

- (A) erecting or preparing to erect a structure, including a building, bridge, roadway, public utility facility, or related appurtenance;
- (B) remodeling, extending, repairing, or demolishing a structure; or

(C) otherwise improving real property or an appurtenance to real property through similar activities.

B. ADDITIONAL REQUIREMENTS

The required liability insurances and their certificates must:

1. Name the City as an additional insured with respect to operations for which this agreement is made.
2. Provide for 30 days advance written notice of cancellation or material change.

C. TYPES AND AMOUNTS OF INSURANCE

The types of insurance required in this contract are those indicated by initials. If no initials appear on any of items 1 through 6, items 1 through 4 shall be required.

	<u>Type</u>	<u>Amount</u>
X 1.	Workers' Compensation Employer's Liability	Statutory \$100,000 per occurrence
X 2.	Commercial (Public) Liability including, but not limited to: • Premises/Operations • Independent Contractors • Products/Completed Operations • Contractual Liability (insuring above indemnity) and where the exposures exist • Explosion Collapse and Underground	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
X 3.	Business Automobile Liability to include coverage for: • Owned/Leased Autos • Non-Owned Autos • Hired Cars	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
X 4.	Professional Liability	\$500,000 combined single limit (per occurrence)
___ 5.	See Addendum for Special Coverages and/or revisions	

___6. No Insurance Required

XI. VENUE, CHOICE OF LAW AND INTERPRETATION

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

XII. TERMINATION

This contract may be terminated at any time upon 30 days written notice by City to Consultant. In the event of termination, Consultant will be compensated for work satisfactorily performed before the termination date.

If, through any cause, the Consultant fails to fulfill his obligations under this contract, or if the Consultant violates any of the agreements of this contract, the City has the right to terminate the contract by giving five days written notice to the Consultant. The Consultant will be compensated for work satisfactorily performed before the termination date.

The Consultant, however, is not relieved of liability to the City for damages sustained by the City because of any breach of contract by Consultant. The City may withhold any payments to Consultant for the purpose of setoff until the exact amount of damages due the City from the Consultant is determined and paid.

XIII. PROJECT REPRESENTATION

The City agrees to appoint a Project Representative to assist in obtaining information from various City departments as requested by Consultant and in coordinating, monitoring, and evaluating the project to its completion. The Project Representative has no control over the means, methods, techniques, or procedures employed by Consultant. The City is interested only in the results obtained under this contract; the manner and means of obtaining those results is solely under the Consultant's control.

XIV. NOTICE

All notices must be in writing, hand-delivered or mailed by certified mail, to the other party at the address below. The name and address for notification may be changed by notice to the other party.

City – ATTN:

**Greg McCaffery, P.E.
City of Abilene PO Box
60 Abilene, TX 79604**

Consultant – ATTN:

**Tal Fillingim, P.E.
3465 Curry Lane
Abilene, TX 79606**

XV. COMPLIANCE WITH LAWS, CHARTER, ORDINANCES

Consultant, 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. Consultant must obtain all necessary permits and licenses required in completing the work contracted for in this agreement.

XVI. NO INDEBTEDNESS

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

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

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

XVII. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to recruit, employ, and to provide compensation, promotion, and other conditions of employment without regard to race, color, religion, sex, age, national origin, or disability. The City affirms that employment decisions shall be made only on the basis of bonafide occupational qualifications. The City shall continually review its employment practices and personnel procedures and take positive steps to assure that equality of employment opportunity in the City of Abilene, Texas, is a fact as well as an ideal.

XVIII. VERIFICATION OF EMPLOYMENT ELIGIBILITY

Consultant must comply with the Immigration Reform and Control Act (IRCA) and may not knowingly obtain labor or services of an unauthorized alien. Consultant -- not City -- must verify eligibility for employment as required by IRCA.

XIX. MINORITY AND WOMEN BUSINESS ENTERPRISES

The City hereby gives notice that Minority and Women Business Enterprises will be afforded equal opportunities to submit bids in for this contract and will not be discriminated against on the grounds of race, ethnicity, color, sex, religion or national origin in awarding the contract. Technical assistance is available to Minority and Women Business Enterprises through

the Texas Tech University Small Business Development Center, 749 Gateway St., #301, Building C, Abilene, Texas, 79602, 325-670-0300.

XX. SALES TAX

The City qualifies as an exempt agency under the Texas Limited Sales, Excise and Use Tax Act (the "Tax Act"), and is not subject to any State or City sales taxes on materials incorporated into the project. Labor used in the performance of this contract is also not subject to State or City sales taxes. The City will provide an exemption certificate to the Consultant. The Consultant must have a sales tax permit issued by the Comptroller of Public Accounts and shall issue a resale certificate complying with the Tax Act, as amended, when purchasing said materials. The Consultant is responsible for any sales taxes applicable to equipment purchases, rentals, leases, consumable supplies which are not incorporated into the project, tangible personal property purchased for use in the performance of this contract and not completely consumed, or other taxable services used to perform this contract, or other taxes required by law in connection with this contract.

XXI. LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provisions, and the Contract will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

XXII. BOYCOTT OF ISRAEL

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

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

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

XXIII. SECTIONS AND OTHER HEADINGS

Section, paragraph, and other headings contained in this Contract are for reference purposes only and do not affect in any way the meaning or interpretation of this Contract.

XIV. COUNTERPARTS

This Contract may be executed in two or more counterparts (including fax, email, or electronic PDF counterparts), each of which shall be deemed an original and all of which together shall constitute one instrument.

{Remainder of Page Intentionally Left Blank—Signature Page Follows}

IN WITNESS HEREOF, the parties hereto have executed this contract effective as of the date written above:

CITY OF ABILENE

By: _____

Name: Robert Hanna

Title: City Manager

ATTEST:

City Secretary

APPROVED:

By: _____
City Attorney

PROFESSIONAL

By: 

Name: Tal Fillingim

Title: Vice President

Address: 3465 Curry Lane, Abilene, Tx

Phone Number: 325-695-1070

Federal Tax ID#: 75-1285782

ATTEST: (if corporation)

Corporation's Secretary

Corporate Seal (if available)

Attachment A

SCOPE OF SERVICES

Engineering services, including surveying and materials testing, for the design of roadway reconstruction and pedestrian access improvements for 16,000 linear foot segment of Maple Street extending from Loop 322 to ES 11th Street. The work includes demolition of existing roadway section, asphalt and concrete paving, concrete curb and gutter, and drainage improvements. Also included is signal warrant analysis where Maple Street intersects South 27th Street and South 14th Street. Should the analysis determine signals are needed then design of a traffic signal at these intersections will be provided. Roadway widths, transitions, intersection layout design, and design of lane configurations approaching the intersection will be provided as well as the evaluation and design of sidewalks and bike paths along Maple Street. Floodway impact analysis, including all required hydraulic modeling, will be provided at locations where the proposed Maple Street cross section impacts existing floodways. Letter of Map Revision due to the floodway impacts will be provided on an as needed basis.

Task 1 – Initial Project Data Collection and Analysis

The Scope of the work will consist of the following:

- 1) Topographic survey, utility locates, and associated field data collection necessary to prepare construction documents. Determination of right of way, within ± 1 ft, for full length of roadway improvements. Preparation of easement or right-of-way dedication documents, plats, or any other survey document or instruments are not included.
- 2) Existing pavement corings and lab analysis for up to 40 total corings.

Task 2 – Design of Roadway, Pedestrian, and Drainage Improvements

The Scope of the work will consist of the following:

- 1) Pavement section design, including evaluations and analysis of roadway improvement approach.
- 2) Develop schematic designs, provide design development, and final construction documents in accordance with City of Abilene requirements. An opinion of construction cost will be prepared for each of schematic and design development. Prepare detailed construction plans for the purpose of bidding and constructing the roadway and pedestrian improvements. This shall



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817.594.9880



info@jacobmartin.com
www.jacobmartin.com



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Weatherford, TX 76086

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include typical sections, horizontal and vertical alignments, roadway cross sections, side street profiles, drainage structure details, erosion control plans, stabilization plan, traffic control plans, construction details, quantities, signage and pavement marking plan, and all associated specifications

- 3) Coordinate plan review and approval, including any required TDLR Handicap Accessibility reviews in accordance with Americans with Disabilities Act.
- 4) Attend all design and project coordination meetings as required.
- 5) Provide all coordination with permitting agencies to obtain permits, including all necessary utility coordination.
- 6) Prepare a Storm Water Pollution Prevention Plan.
- 7) Prepare bid and contract documents and attend any pre-bid meetings. Assist the City of Abilene in advertising, bidding and contract award.
- 8) Hold a pre-construction conference involving all parties and assist in any needed review of design related questions during construction.
- 8) Review and approve submittals/shop drawings as needed for the project and perform final walk through of the project.
- 9) Prepare and approve any change orders needed during construction. Issue revised construction plans if needed.
- 10) Prepare record drawings and provide in digital format acceptable to the City of Abilene.
- 11) This scope does not include any utility relocation design, lighting design, or any resident project inspection.

Task 3 – Traffic Signal Warrant Analysis

The Scope of the work will consist of the following:

- 1) Perform a Traffic Signal Warrant Analysis to determine whether installation of a traffic control signal is justified at the intersection of South 14th and South 27th at Maple Street in Abilene, TX. The effort will include 12 hour turning movement counts performed by a subconsultant. It is assumed that intersection crash history data will be provided by the City. The Traffic Signal Warrant Analysis will include a model to show the level of service (LOS) of the existing intersection and potential signal improvements including auxiliary turn lanes. A technical memo will be prepared detailing results of the Signal Warrant and LOS analyses and conclusions.
- 2) Deliverables will include draft and final technical memo in PDF format.



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Task 4 – Traffic Signal Design

The Scope of the work will consist of the following:

- 1) Develop schematic, preliminary, and final design of required traffic signal improvements including location of poles and foundations, signal cabinet, power source, signal heads, vehicle detectors, and emergency vehicle pre-emption.
- 2) Prepare the following plan sheets and associated specifications for the traffic signal: General notes, Summary of estimated quantities, Traffic signal design plan sheet, Signal design summary tables and charts, City and/or TxDOT standard detail sheets
- 3) Provide basic signal timing for the designed traffic signal.
- 4) Review and Approve submittals/shop drawings as needed for the project. Respond to any requests for information (RFI's).
- 5) Prepare an estimate of construction quantities and develop an opinion of probable construction costs for permanent traffic signal elements.
- 6) Prepare record drawings and provide in digital format acceptable to the City of Abilene.
- 7) Attend all design and project coordination meetings as required.

Task 5 – Floodway Impact Analysis

The Scope of the work will consist of the following:

- 1) Perform up to two (2) field visits to evaluate the site conditions and understand drainage patterns, as well as potential construction constraints. Obtain record drawings for existing infrastructure and developments in the area, as necessary.
- 2) Obtain the effective FEMA hydraulic effective model for Cedar Creek. Convert to HEC-RAS, if necessary.
- 3) Revise the effective model to develop the duplicate effective and corrected effective HEC-RAS hydraulic models from N of Berry Ln to SH 36. Cedar Creek south of Berry Ln is excluded from this study. The flow rates in the effective hydraulic model will be utilized. Updates to the hydrology are excluded from this study.
- 4) ENGINEER will perform a floodplain analysis of Cedar Creek between Berry Ln and SH 36. The analysis will be performed in accordance with City of Abilene Standards and the minimum requirements of the National Flood



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Insurance Program (NFIP) as administered by the Federal Emergency Management Agency (FEMA).

- 5) Utilize existing hydraulic model and hydraulic work map(s) for Cedar Creek as available.
- 6) Update the cross-section data in the hydraulic model for the sections that cross Maple St. from N of Berry Ln to SH 36. Contour data from the topographic survey of the project site will be used to generate the updated cross section data.
- 7) Update the corrected effective model with project survey and LiDAR information to create the existing (Pre-project) model. Changes to the model will only include topographic information. Cross drainage structures along Cedar Creek will not be updated as part of this study.
- 8) Develop the proposed (Revised or Post-Project) model to analyze the proposed Maple St roadway improvements from N of Berry Ln to SH 36.
- 9) Determine any impacts due to the proposed roadway improvements.
- 10) Coordinate with roadway designers to minimize and/or mitigated impacts
- 11) Prepare a report summarizing the assumptions made, methodologies used, and conclusions reached in the flood study. The report will provide the technical background data to support a request for revising the current floodplain limits within the project area.
- 12) ENGINEER will provide two (2) bound copies of both the DRAFT and FINAL reports to the City of Abilene, along with one digital copy in PDF format.

Task 6 – Conditional Letter of Map Revision and a Letter of Map Revision

The Scope of the work will consist of the following:

Conditional Letter of Map Revision (CLOMR)

ENGINEER will assist CLIENT in securing a CLOMR from the Federal Emergency Management Agency (FEMA) that depicts the revised floodplain of Cedar Creek through the development:

- 1) Attend a pre-development conference with the City staff to discuss the proposed project, proposed changes within the floodplain, and any issues that will need to be addressed in the CLOMR flood study.
- 2) Update the hydraulic model Cedar Creek proposed model to reflect the post-construction topography as designed and assemble the required technical data to support the proposed CLOMR (i.e., flood study report, hydrologic and hydraulic computer models and associated exhibits).
- 3) Prepare a draft public notice describing the proposed revisions to the effective



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floodplain. The draft public notice will be included in the CLOMR submittal to FEMA and upon FEMA's approval of the notice, it will be published in a local newspaper. The cost of publishing the public notice is not included in this Scope of Services and shall be paid by CLIENT.

- 4) Submit a draft copy of the CLOMR request package to the City of Abilene floodplain administrator for review prior to submitting to FEMA and revise the information in the LOMR submittal per the floodplain administrator's review comments, if any.
- 5) FEMA requires that a review and processing fee be submitted for a map revision and requests related to modifications of the floodplain limits. The FEMA review fee must be paid by CLIENT prior to submitting the CLOMR request and is not included in the base scope of services. The current FEMA review fee associated with CLOMRs of this type (CLOMR Based on New Hydrology, Bridge, Culvert, Channel, or Combination Thereof) is \$6,500. The FEMA review fees are subject to change.
- 6) Submit the CLOMR request package to FEMA for review and revise the information in the CLOMR submittal per review comments for FEMA, if any.

Letter of Map Revision (LOMR)

ENGINEER will assist CLIENT in securing a LOMR from the Federal Emergency Management Agency (FEMA) that depicts the revised floodplain of Cedar Creek:

- 1) Attend a pre-development conference with the City staff to discuss the proposed project, proposed changes within the Cedar Creek floodplain, and any issues that will need to be addressed in the LOMR flood study.
- 2) CLIENT shall provide ENGINEER with a post-construction survey of the area to be reclaimed from the 100-year floodplain. The survey shall be based on North American Vertical Datum of 1988 (NAVD88) and the Texas State Plane Coordinate System (Grid).
- 3) Update the hydraulic model of Cedar Creek developed with the relevant Flood Study to reflect the post-construction topography per the as-built survey data referenced above and assemble the required technical data to support the proposed LOMR (i.e., flood study report, hydrologic and hydraulic computer models and associated exhibits).
- 4) Prepare a draft public notice describing the proposed revisions to the effective floodplain. The draft public notice will be included in the LOMR submittal to FEMA and upon FEMA's approval of the notice, it will be published in a local newspaper. The cost of publishing the public notice is not included in this Scope of Services and shall be paid by CLIENT.



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- 5) Submit a draft copy of the LOMR request package to the City of Abilene floodplain administrator for review prior to submitting to FEMA and revise the information in the LOMR submittal per the floodplain administrator's review comments, if any.
- 6) FEMA requires that a review and processing fee be submitted for a map revision and requests related to modifications of the floodplain limits. The FEMA review fee must be paid by CLIENT prior to submitting the LOMR request and is not included in the base scope of services. The current FEMA review fee associated with LOMRs of this type (Physical Map Revision Base on a Bridge, Culvert, Channel, Hydrology, or Combination Thereof) is \$8,000 plus \$2,500 per FIRM panel. The FEMA review fees are subject to change.
- 7) Submit the LOMR request package to FEMA for review and revise the information in the LOMR submittal per review comments for FEMA, if any.



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Attachment B

Compensation Payment Schedule

Payment is based on the completion of work as set forth in the authorized individual Task, as set out below, not to exceed the Total Contract Amount of \$1,029,000.00

Compensation for Task 1 as described above shall be at a lump sum fee of \$89,500.00. Any additional pavement coring's above the 40 specified in the scope of services will be provided at a rate of \$300 per coring.

Compensation for Task 2 as described above shall be at a lump sum fee of \$774,000.00.

Compensation for Task 3 as described above shall be at a lump sum fee of \$17,000.00.

Compensation for Task 4 as described above shall be at a lump sum fee of \$61,500.00.

Compensation for Task 5 as described above shall be at a lump sum fee of \$42,000.00.

Compensation for Task 6 as described above shall be at a lump sum fee of \$45,000.00.

Fees do not include any required outside review, inspection, or filing fees. All fees are based on the project extents as outlined. Project extents shall not be extended without written approval from the City of Abilene. Should the project extents be increased then contract would need to be renegotiated. Project schedule to be finalized once notice to proceed has been issued. Task 1 and 3 are anticipated to be completed within 4 months from notice to proceed. Task 2 and 4 are anticipated to be completed within 8 months after completion of Task 1.



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ATTACHMENT C

STATE MANDATED WORKERS' COMPENSATION INSURANCE LANGUAGE

THIS ATTACHMENT IS ONLY APPLICABLE IF WORKERS' COMPENSATION COVERAGE IS PROVIDED

a. Definitions

Certificate of coverage ("certificate") - a copy of a certificate of insurance, a certificate of authority to self-insure issued by the commission, or a coverage agreement (TWCC-81, TWCC-82, TWCC-83, or TWCC-84), showing statutory workers' compensation insurance coverage for the person's or entity's employees providing services on a project, for the duration of the project.

Duration of the project - includes the time from the beginning of the work on the project until the Professional's/person's work on the project has been completed and accepted by the City.

Persons providing services on the project ("subcontractors" in 406.096) - includes all persons or entities performing all or part of the services the Professional has undertaken to perform on the project, regardless of whether that person contracted directly with the Professional and regardless of whether that person has employees. This includes, without limitation, independent contractors, subprofessionals, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity which furnishes persons to provide services on the project. "Services" include, without limitations, providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets.

- b. The Professional shall provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all employees of the Professional providing services on the project, for the duration of the project.
- c. The Professional must provide a certificate of coverage to the City prior to being awarded the contract.
- d. If the coverage period shown on the Professional's current certificate of coverage ends during the duration of the project, the Professional must, prior to the end of the coverage period, file a new certificate of coverage with the City showing that coverage has been extended.
- e. Professional shall obtain from each person providing services on a project and provide to City:

(1) a certificate of coverage, prior to that person beginning work on the project, so the City will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(2) no later than seven (7) days after receipt by the Professional, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project.

f. The Professional shall retain all required certificates of coverage for the duration of the project and for one (1) year thereafter.

g. The Professional shall notify the City in writing by certified mail or personal delivery, within ten (10) days after the Professional knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project.

h. The Professional shall post on each project site a notice, in the text, form and manner prescribed by the Texas Workers' Compensation Commission, informing all persons providing services on the project that they are required to be covered, and stating how a person may verify coverage and report lack of coverage.

i. The Professional shall contractually require each person with whom it contracts to provide services on a project to:

(1) provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all of its employees providing services on the project, for the duration of the project;

(2) provide to the Professional, prior to that person beginning work on the project, a certificate of coverage showing that coverage is being provided for all employees of the person providing service on the project, for the duration of the project;

(3) provide the Professional, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(4) obtain from each other person with whom it contracts, and provide to the Professional:

(a) a certificate of coverage, prior to the other person beginning work on the project; and

(b) a new certificate of coverage showing extension of coverage, prior to the end of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(5) retain all required certificates of coverage on file for the duration of the project and for one (1) year thereafter;

(6) notify the City in writing by certified mail or personal delivery, within ten (10) days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing service on the project;

(7) contractually require each person with whom it contracts, to perform as required by paragraphs (1) - (7), with the certificates of coverage to be provided to the person for whom they are providing services.

- j. By signing this contract or providing or causing to be provided a certificate of coverage, the Professional is representing to the City that all employees of the Professional who will provide services on the project will be covered by workers' compensation coverage for the duration of the project, that the coverage will be based on proper reporting of classification codes and payroll amounts, and that all coverage agreements will be filed with the appropriate insurance carrier or, in the case of a self-insured, with the commission's Division of Self-Insurance Regulation. Providing false or misleading information may subject the Professional to administrative penalties, criminal penalties, civil penalties, or other civil actions.
- k. The Professional's failure to comply with any of these provisions is a breach of contract by the Professional which entitles the City to declare the contract void if the Professional does not remedy the breach within ten (10) days after receipt of notice of breach from the City.

ATTACHMENT D
NOTICE TO PROCEED

Click or tap here to enter text.

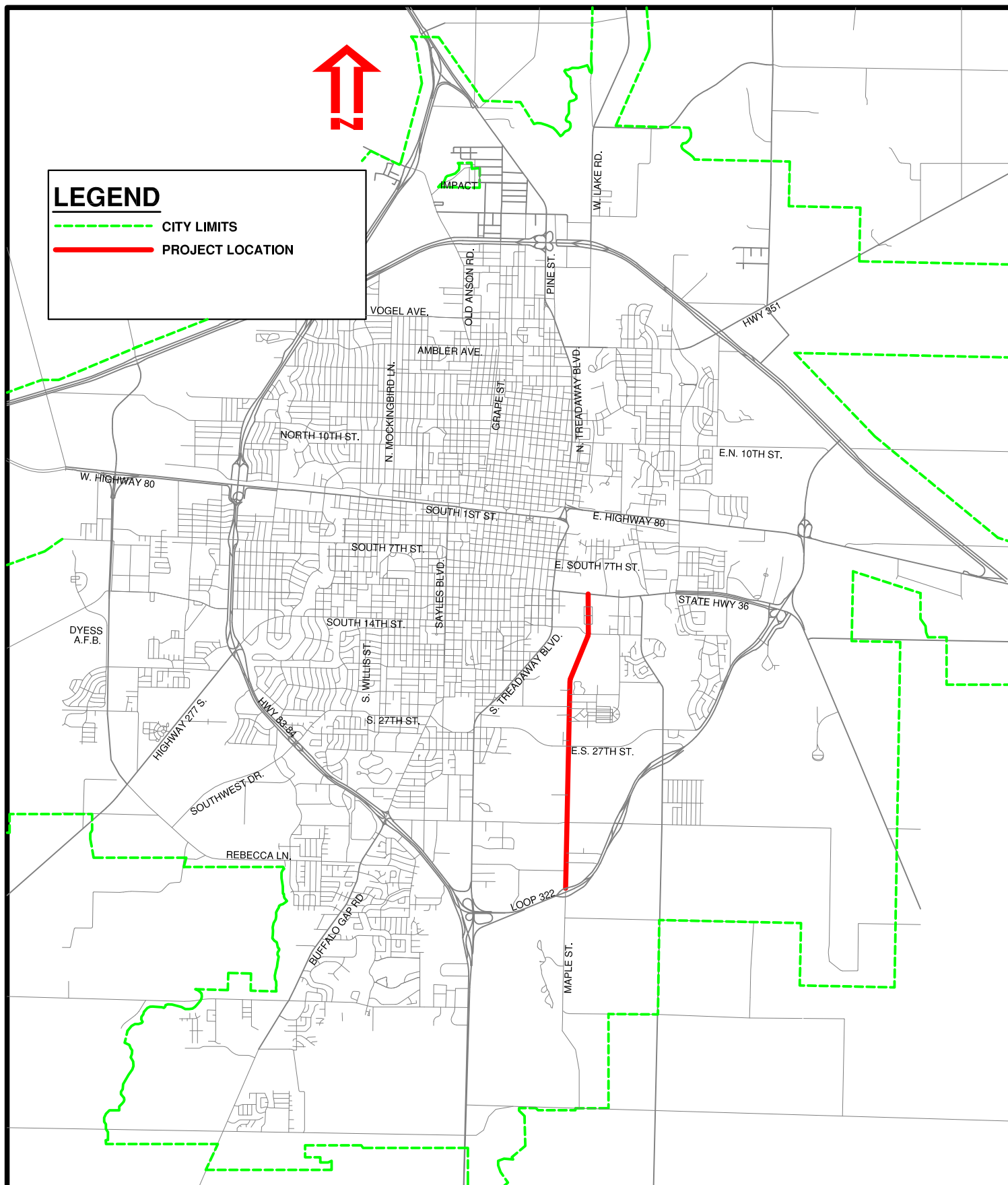
ATTACHMENT E
CHANGE IN SCOPE OF SERVICES

Click or tap here to enter text.



LEGEND

- CITY LIMITS
- PROJECT LOCATION



Sheet
1
Of
1

CITY OF ABILENE, TEXAS
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

MAPLE ST IMPROVEMENTS ES 11TH ST TO LOOP 322

Designed By: S. CHANDLER

Drawn By: T. MATTHEWS

Checked By: S. CHANDLER

Horizontal Scale: N.T.S.

Vertical Scale: N.T.S.

Computer File Name:
PROPOSED 2021 BOND

Date: OCTOBER 2021

Agenda Item:
Maple Street Roadway Improvements
Loop 322 to ES 11th St



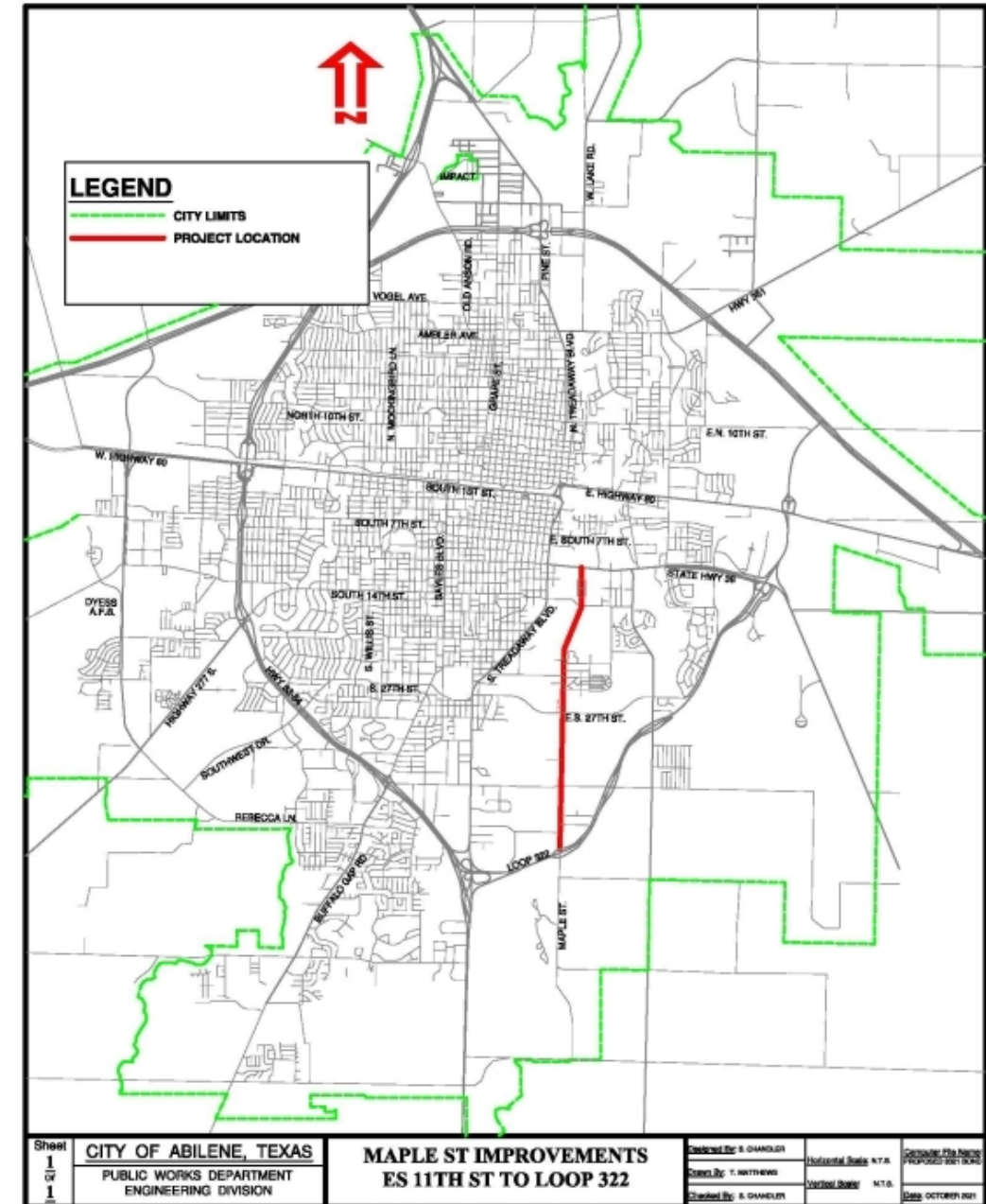
Maple Street Roadway Improvements Loop 322 to ES 11th St

- The scope of the project includes the reconstruction and widening of Maple Street from Loop 322 to ES 11th Street, which is approximately 3.2 miles of existing roadway within the existing right of way. The work includes demolition of existing roadway section, asphalt paving, concrete curb and gutter, and drainage improvements.
- This project will also include traffic warrant analyses at three intersections: ES 11th St and Maple St, S 27th St and Maple St, and S 14th St and Maple. These three analyses will determine whether or not a signal is warranted at these three intersections.



Maple St Roadway Improvements Loop 322 to ES 11th St

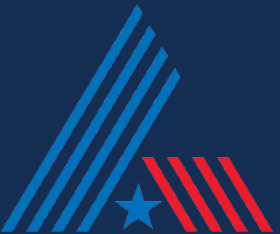
Streets From To
Maple St ES 11th St Loop 322



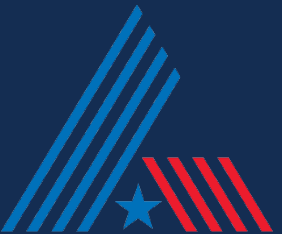
Agenda Item:

Maple Street Roadway Improvements Loop 322 to ES 11th St.

- A request for Proposals for Engineering Services for the project was advertised on August 1st 2021 & August 8th 2021.
- Four proposals were received and evaluated.
- City Staff determined the proposal from Jacob & Martin, Inc. was the best proposal received for this project.
- The contract with Jacob & Martin, Inc. is for the fixed fee amount of \$1,029,000.00.
- The contract includes: Schematic Design, Construction Documents, Bid Administration, and Construction Administration.



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Bob von Wolffrad, Technical/Back up

SUBJECT: 5. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Agreement to Install Safety/Security Cameras and Access Controls *(Bob von Wolffrad)*

GENERAL INFORMATION

The City is continuing to improve the safety and security of city facilities for the general public and employees. The purchase request is the latest procurement to support this effort.

SPECIAL CONSIDERATIONS

This purchase and installation is through Buyboard, and therefore competitive bidding requirements are not required.

FUNDING/FISCAL IMPACT

Included in approved budgets.

STAFF RECOMMENDATION

Approve the purchase of the safety and security cameras and door access controls for Sigma Surveillance, Inc.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Safety Security Cameras Access Controls Dec 17 21 Resolution
2. Video Surveillance Systems Contract 12-10-2021
3. Slides - Safety Security Cameras Access Controls Dec 17 2021

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDERS
ASSOCIATED WITH INSTALLING THE SAFETY AND SECURITY CAMERAS AND
ACCESS CONTROLS AT VARIOUS CITY FACILITIES WITH SIGMA
SURVEILLANCE INCORPORATED.**

WHEREAS, The City has standardized on cost-effective and efficient safety and security solutions, including access control systems that minimize resource and maintenance costs over five years; and

WHEREAS, Since June 2020, the City has compared, tested and installed the systems in the Departments of Information Technology, Community Services, Health, Zoo, City Hall, Minter Park, the Armory, with additional installations in-progress for the Everman Park, Everman Park Tunnels, and City Hall; and

WHEREAS, purchases are made utilizing the BuyBoard Contract pricing for government and include a ten (10) year warranty on cameras with five (5) year licenses, wiring and installation; and

WHEREAS, work orders to be executed include the Convention Center (\$58,230.94), Citylink (\$82,234.60), Police Impound Lot (\$105,696.53), Water Facilities Access Controls (\$28,711.95), Water Facilities Cameras (\$24,827.92), for a total of \$299,701.94, including all wiring and installation services..

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

Part 1: The City Council authorizes the City Manager to execute the contract and work orders for safety and security cameras and door access controls for \$299,701.94 from Sigma Surveillance, Inc.

Part 2: That this Resolution takes effect immediately upon its adoption.

ADOPTED this 17th day of November, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



SERVICES CONTRACT

This contract, dated the 10th day of December, 2021, is between the City of Abilene, a home rule municipal corporation of the State of Texas ("City"), and Sigma Surveillance inc. dba STS360 a Corporation organized under the laws of the State of Texas ("Contractor").

The purpose of this Contract is to state the terms and conditions under which Contractor will provide Cloud Video Surveillance services to the City during the term stated herein.

In consideration of the mutual promises contained in this Contract, City and Contractor agree as follows:

I. TERMS

Contractor must provide all services as described in Attachment A, which is incorporated by reference for all purposes within 180 calendar days after the effective date of this Contract.

II. PAYMENT

For the services to be rendered under this Contract, the Contractor will be entitled to a fee as described in Attachment B, which is incorporated by reference for all purposes.

III. MATERIALS AND SUPPLIES

The Contractor will furnish all materials and equipment necessary to perform the services agreed to under this Contract, which are to be supplied by the Contractor.

IV. TERMINATION

This agreement may be canceled or terminated by either party for (1) the other party's violation or failure to comply with any terms or conditions contained herein, or (2) upon the giving of sixty (60) days written notice by either party of the desire to terminate the same. Upon the termination of this agreement as provided herein, an accounting shall be made between the parties and payments made to the parties as provided for herein to the day of termination.

V. ASSIGNMENT

The Contractor 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. In the event of an assignment by the Consultant to which the City has consented, the assignee or assignee's legal representative must agree in writing with the City to personally assume, perform, and be bound by all the provisions of this Contract. All of the terms and provisions of this Contract are binding on Contractor's successors and assigns and may be enforced by the City against such successors and assigns.

VI. STATUS OF CONTRACTOR

The Contractor is an Independent Contractor. Contractor and Contractor's employees are not the agents, servants or employees of the City.

VII. AMENDMENT OR MODIFICATION

This contract, including 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 contract are of no effect. This contract may not be amended or modified except by both parties' written consent. This Contract supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Contract.

VIII. INDEMNITY

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

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

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

- (i) injury or damage to any property or right

- (ii) injury, damage, or death to any person or entity
- (iii) attorneys fees, witness fees, expert witness fees and expenses, and
- (iv) all other costs and expenses of litigation

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

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

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

B. Indemnity

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

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

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

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

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

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

IX. INSURANCE

A. GENERAL REQUIREMENTS

The Contractor agrees to maintain the type and amounts of insurance required in this contract throughout the term of the agreement. The Contractor is solely responsible for providing the required certificates of insurance. The City may terminate this agreement if the Contractor fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to City, under any third party liability policy.

Before the City executes the notice to proceed with any work under this agreement, the Contractor must provide the City Secretary with either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance. Thereafter, the Contractor must furnish new certificates or copies of the policy before the expiration date.

Texas Labor Code Section 406.096 requires a city to ensure that contractors carry workers' compensation for each employee when the city is a party to any "building or construction contract." The code enumerates that "building and construction" includes:

- (A) erecting or preparing to erect a structure, including a building, bridge, roadway, public utility facility, or related appurtenance;
- (B) remodeling, extending, repairing, or demolishing a structure; or
- (C) otherwise improving real property or an appurtenance to real property through similar activities.

B. ADDITIONAL REQUIREMENTS

The required liability insurances and their certificates shall:

1. Name the City as an additional insured with respect to operations for which this agreement is made.
2. Provide for 30 day advance written notice of cancellation or material change.

C. TYPES AND AMOUNT OF INSURANCE

The types of insurance required in this contract are those indicated by initials. If no initials appear on any of items 1 through 6, items 1 through 4 shall be required.

	<u>Type</u>	<u>Amount</u>
X 1.	Workers' Compensation Employer's Liability	Statutory \$100,000 per occurrence
X 2.	Commercial (Public) Liability including, but not limited to: • Premises/Operations • Independent Contractors • Products/Completed Operations • Contractual Liability (Insuring above indemnity) and where the exposures exist • Explosion Collapse and Underground	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
X 3.	Business Automobile Liability to include coverage for: • Owned/Leased Autos • Non-Owned Autos • Hired Cars	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
___ 4.	Professional Liability	\$500,000 combined single limit (per occurrence)
___ 5.	See Addendum for Special Coverages and/or revisions	
___ 6.	No Insurance Required	

X. VENUE, CHOICE OF LAW AND INTERPRETATION

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

XI. NOTICE

All notices must be in writing, hand-delivered or mailed by certified mail, to the other party at the address below. The name and address for notification may be changed by notice to the other party.

City - ATTN:

Contractor - ATTN:

XII. COMPLIANCE WITH LAWS, CHARTER, ORDINANCES

Contractor, 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. Contractor must obtain all necessary permits and licenses required in completing the work contracted for in this agreement.

XIII. NO INDEBTEDNESS

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

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

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

XIV. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to recruit, employ, and to provide compensation, promotion, and other conditions of employment without regard to race, color, religion, sex, age, national origin, or disability. The City affirms that employment decisions shall be made only on the basis of bonafide occupational qualifications. The City shall continually review its employment practices and personnel procedures and take positive steps to assure that equality of employment opportunity in the City of Abilene, Texas, is a fact as well as an ideal.

XV. VERIFICATION OF EMPLOYMENT ELIGIBILITY

Service Contractor must comply with the Immigration Reform and Control Act (IRCA) and may not knowingly obtain labor or services of an unauthorized alien. Service Contractor-- not City -- must verify eligibility for employment as required by IRCA.

XVI. MINORITY AND WOMEN BUSINESS ENTERPRISES

The City hereby gives notice that Minority and Women Business Enterprises will be afforded equal opportunities to submit bids in for this contract and will not be discriminated against on the grounds of race, ethnicity, color, sex, religion or national origin in awarding the contract. Technical assistance is available to Minority and Women Business Enterprises through the Texas Tech University Small Business Development Center, 749 Gateway St., #301, Building C, Abilene, Texas, 79602, 325-670-0300.

XVII. SALES TAX

The City qualifies as an exempt agency under the Texas Limited Sales, Excise and Use Tax Act (the "Tax Act"), and is not subject to any State or City sales taxes on materials incorporated into the project. Labor used in the performance of this contract is also not subject to State or City sales taxes. The City will provide an exemption certificate to the Professional. The Service Contractor must have a sales tax permit issued by the Comptroller of Public Accounts and shall issue a resale certificate complying with the Tax Act, as amended, when purchasing said materials. The Service Contractor is responsible for any sales taxes applicable to equipment purchases, rentals, leases, consumable supplies which are not incorporated into the project, tangible personal property purchased for use in the performance of this contract and not completely consumed, or other taxable services used to perform this contract, or other taxes required by law in connection with this contract.

XVIII. LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provisions, and the Contract will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

XIX. BOYCOTT OF ISRAEL

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

This section only applies to a contract that: (a) is between a governmental entity and a company with 10 or more full-time employees, and (b) has a value of \$100,000 or more that is to

be paid wholly or partly from public funds of the governmental entity. Additionally, “company” does not include a sole proprietorship.

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

XX. SECTIONS AND OTHER HEADINGS

Section, paragraph, and other headings contained in this Contract are for reference purposes only and do not affect in any way the meaning or interpretation of this Contract.

XXI. COUNTERPARTS

This Contract may be executed in two or more counterparts (including fax, email, or electronic PDF counterparts), each of which shall be deemed an original and all of which together shall constitute one instrument.

{Remainder of Page Intentionally Left Blank—Signature Page Follows}

IN WITNESS HEREOF the parties have entered into this agreement as of the date written above.

CITY OF ABILENE

By:

Title:

SERVICE CONTRACTOR

By: John Hoffman

Title: Vice President

Address:

14229 Proton Rd Dallas TX 75244

Phone Number:

469-212-6022

Federal Tax ID #:

20-2542335

ATTEST:

City Secretary

APPROVED:

City Attorney

ATTEST: (If Corporation)



Corporation's Secretary

Corporate Seal (If available):

ATTACHMENT A
SCOPE OF SERVICES

Click or tap here to enter text.

A. LETTER OF TRANSMITTAL

12/10/2021

City of Abilene
Video Surveillance Project
ATTN: Ted Harvey

REF: City of Abilene Police Impound lot, City Link and Water and Sewer.

Dear Ted,

STS360, a HUB Certified Business, Texas Resident and Security Integrator of many Cities and Towns across the Texas, is honored to submit the following proposal for a turnkey cloud camera system with all supporting wireless and solar equipment required to bring system to City network.

STS360's core business specializes in connecting State, Local, and Educational Agencies in the most convenient, flexible way with a variety of security manufacturers from IP Surveillance and Access Control to Intrusion and Video Verification. In our 15+ years of business we maintain and have maintained contracts with many State Agencies, cities, counties, school districts, and more throughout the state of Texas. We recently completed a city-wide video and access control deployment for the City of Fort Worth (100+ Facilities) (est. \$3,000,000) and are currently deploying with the City of Dallas (est. \$18,000,000) all video surveillance system including many solar, wireless and 4G systems. Your Municipality will have the full force of our experienced, knowledgeable staff and white glove execution of your project with regular communication.

Additionally, we offer DIR and Buyboard purchasing on a wide variety of the products, including installation and maintenance services in this proposal. Our Accounting and Purchasing Departments are specialized in handling these types of transactions to provide your Purchasing Division with the utmost service.

As STS360 is a HUB Certified Minority Owned business, helping our Public Sector Customer's Compliance is one key part of our business model. We have a strong network of HUB Subcontractors to be involved in a variety of areas. We have Data Cabling HUBs to maintain industry standards when installing as well as Security Industry HUBs utilized in mounting cameras throughout the facilities. Support from all participants in this bid is 24/7/365.

We thank you for your time and consideration of the following offer and welcome any requests for additional information, clarifications, or anything else that you may require while considering STS360 for award of this solicitation. Please do not hesitate to contact me at any time at (940) 366-5831 or email me directly via chandler@sts360.com.

Kindest Regards,

Chandler Rawlings

B. FIRM PROFILE

GENERAL COMPANY INFORMATION

Company Name: Sigma Surveillance, Inc. DBA STS360

Principal Place of Business: 4040 Hwy 121, Suite 140, Carrollton, Texas, 75010

Main Phone: (972) 392-3635 Fax Number: (866) 223-8167

STS360 Contact: Chandler Rawlings

Contact Office Phone: (972) 300-1082 Contact Cell Phone: (940) 366 - 5831

Contact Email Address: chandler@sts360.com Contact Title: Sales

Secondary STS360 Contact: John Skuse

Contact Office Phone: (972) 392-3635 Contact Cell Phone: (716) 697-3235

Contact Email Address: skuse@sts360.com Contact Title: Program Manager

Field Technical Support Center Locations: Carrollton, Texas - Houston, Texas - Athens, Texas
- Alice, Texas - Corpus Christi, Texas - Wichita Falls, TX - Fort-Worth, Texas - El Paso, Texas

STS360's PRINCIPALS:

Bobby Khullar, President / CEO Email: bobby@sts360.com

John Hoffman, Vice President of Sales Email: john@sts360.com

Years in Information Technology: 20 Years in Security Business: 12

Type of Ownership: Privately held State of Incorporation: Texas

Type of Incorporation: S Corporation Year Founded: 2005

Number of Employees: 21 STS360 Employees 100+ subcontractor employees

Vendor ID Number: 20-2542335 HUB Vendor? Yes Cert: 1202542335600

Bonding Capacity: \$7.5 million per project / Aggregate \$15 million

AUTHORIZED NEGOTIATOR: John Paul Hoffman, Vice President of Sales

C. EXPERIENCE, BACKGROUND, QUALIFICATIONS

VENDOR QUALIFICATIONS

STS360 has been designing, installing, and supporting network-based security systems for over fifteen (15) years, and intends to demonstrate to The City of Abilene Purchasing representatives that during this time we have garnered significant experience and qualifications that make us an outstanding candidate for consideration of award. STS360 has been installing and supporting large Video Surveillance installations for State Agencies, Counties, Cities, Towns, and Schools for years.

STS360 was founded as an IT Systems consultant and integrator in 2000. We found ourselves naturally moving core services to security solutions due our customers' increasing demands for network-based security. Since we were already proficient in networks and IT Systems, the transition was natural and STS360 became a leader in providing IP solutions well before they became commonplace solutions. We tailored innovative security solutions to solve our clients' security needs and provide high ROIs through loss prevention, improved operational oversight, liability mitigation, reduced investigation times and safer, more secure environments.



*CEO Bobby Khullar receives
entrepreneur of the year award
from Governor Rick Perry*

STS360 is highly qualified and experienced in the services we perform and product lines we offer. STS360 is very careful to approach technology with a few key prejudices. 1) the technology must be non-proprietary, meaning that it must be able to integrate with other products not made by the same manufacturers; 2) it must be expandable, meaning that the end user should not be limited in their ability to expand their security system in the future should they desire to, whether because of technology limitations or cost limitations; 3) the products must be proven to be of the highest of quality available in the market for that type of product. Our customers deserve a strong solid solution with a long-term lifecycle and support, and we will not promote a product we do not believe will be the best return on investment for our customers. At STS360 our experience proves invaluable to the longevity of our partnerships with our clients and supported systems.

STS360 invests in our success by investing in our employees' growth. We certify all STS360 technicians on the various products that we sell and support. STS360's operational procedures also mandate a minimum of 8 hours of training per month for all of our senior and field technicians as a part of their job duties, because there's always room to learn and improve. These monthly trainings can range from manufacturer factory certification training and network certification, to online tests on industry codes & hands-on trainings in our technology lab at STS360 headquarters. STS360 also invests in our subcontractor's education and frequently brings them into our training program to insure they are meeting our high standards.

Considering the sensitive and, unfortunately, critical nature of the service we provide, STS360 has been successful in fostering long-term customer relationships because of our stellar performance and support. We have installed and continue to support tens of thousands of devices for our customers because they trust us to provide the same unparalleled support year after year.

STS360 excels in being flexible, exercising creativity, and providing unwavering attention to detail to customize unique Security Technology Solutions to achieve our clients' diverse needs. We can do this because we have the talent of a large company with the maneuverability and competitiveness of a small one. With a team of technically savvy systems engineers, field service technicians, support staff, account managers and project managers instead of solely technical, contractual and sales expertise, STS360 can honestly say that we truly rise to any challenge a client puts forth to us.

ADDITIONAL QUALIFICATIONS:

HUB CERTIFIED BUSINESS: 1202542335600
NCTRCA, MBE, SBE



As a Certified HUB, we are proactive in HUB outreach and attend/exhibit as such in conferences statewide. We participate in the DIR Conference's HUB Networking Event and build relationships with Minority owned businesses across the State of Texas that are pursuing the status while promoting its benefit to those subcontractors utilized that are not yet certified. We approach every project with a goal of assisting our community.

HIGH BONDING CAPACITY

Lastly, we believe that our strength in our bonding capacity speaks volumes to our qualifications and financial stability. When you work with STS360 you can guarantee that you are working with a solid company who will always be there for you. STS360 has been bonding projects for over 10 years. We have a bonding aggregate capacity of \$15million, up to \$7.5million for a single project, and have had active bonds upwards of \$12million at any given time. We have successfully completed all the bonded projects and continue to have our bonding capacity increased year after year when Philadelphia Insurance does their yearly audits.

PANASONIC PREFERRED PARTNER

STS360 received and maintains the Premier "Panasonic Preferred Partner" designation for outstanding understanding of the product, solutions, and expertise in integration. This prestigious status provides STS360 the ability to offer forensic software and analytics unavailable outside of 20 dealers nationally. Additionally, it provides STS360 with extra resources to improve competitive advantages when proposing Panasonic Solution as well as Operating Inventory Priority.



SAFETY AND COMPLIANCE – SINCE 2005

- OSHA COMPLIANCE – **100%**
- OSHA INVESTIGATIONS - **0**
- Employee Injuries – **0** Since Business Inception
- Subcontractor Injuries – **0** Since Business Inception
- Average MOD Factor – **0.93**

MANAGEMENT STRUCTURE



Bobby Khullar - CEO, President, Owner – STS360

After graduating from Arkansas Bobby had a successful carrier in Federal contracts and IT. Seeing the increased need for Security, Bobby built STS360 from the ground up in 2005. With keen knowledge of IT and government contracts, and firm dedication, Bobby Khullar rapidly grew STS360 by leading with IP technologies in a time when analog technology still ruled the land. STS360 still remains a leader in the security public sector market with Bobby at the helm. Bobby was Awarded the Entrepreneur of the Year in Texas among his many other accomplishments.

bobby@sts360.com



John Paul Hoffman – Vice President – STS360

From STS360's warehouse 14 years ago to Vice President of Sales, John Paul Hoffman maintains the Texas Security Integrator market. Cultivating relationships between Texas State Agencies, Counties, Cities, Towns, School Districts, and manufacturers. He is well known for availability and willingness to consult on all varieties of security matters. Heavily certified in security technology, versed in installations, and customer devoted, The City of Abilene can confidently rely on his guidance regarding all sales.

john@sts360.com

Cell: (972) 300-1082



Jose Garza – CTO, STS360

Jose Garza has been in the Information Technology Industry for over 20 years, in his tenure as Chief Technology Officer, is responsible for discovering, accessing, and researching high-risk, high-return innovations with potential applications in existing businesses and establishing new businesses for STS 360. Jose Garza is 3-time Cisco Certified Network Professional (CCNP) in routing and switching. A certification validates the ability to plan, implement, verify, and troubleshoot local and wide-area enterprise networks and work collaboratively with specialists on advanced security, voice, wireless and video solutions. Jose Garza is also holding Microsoft, CompTIA, and HP Certifications, and continuing education in the following expertise, include the Certified Information Systems Security Professional and Physical Security Professional certifications. Thorough his 20 years of experience, he has also been involved in the practice of providing Cybersecurity Solutions assessments for the Public and Private Sectors. Jose will serve as the point of contact for technology.



John Skuse – Program Manager – STS360

Having a decade in Mobile Wireless Technology and Security products, John brings STS360 a background in Project Management, Sales, Operations and Strategic Implementation. With 15 years of sales experience, 5 years of training experience, and 5 years of operations experience he is responsible for managing STS360 Proposals, Smart City Projects, inside sales initiatives, marketing content, public relations, and estimation of projects. John will serve as the point of contact for project related information.

skuse@sts360.com



Kartavya Mahadevia – Senior Technical Project Manager and Engineer

With over 20 years of experience in Information technology and project management, he has been with STS360 since 2003. Kart is a Microsoft Certified System Engineer and has certifications from various leading security manufacturers. Kart's expertise is in various Video Management, Access Control, Intrusion, Wireless, Server, Storage and Networking System technologies. He is an integral part of System Design to System Deployment and System Support and he manages several teams. Kart has earned many accolades from our customers and will serve as the front man for technical troubleshooting, system configuration, and training.

kart@sts360.com

CERTIFICATIONS

Video Management Systems

Video Insight	Exacqvision
OnSSI	Verkada
Milestone	Salient
Axis	Wisenet WAVE

Facial Recognition/Forensic Analytics

FacePro
BriefCam
Agent VI

Access Control Systems

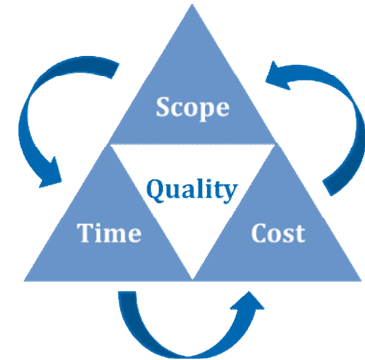
MonitorCast	Continental Access
Open Options	SALTO Systems
Isonas	RS2

Camera Certifications

Panasonic/Arbitrator	Illustra
Axis	Advidia
Hanwha	FLIR
Sony	Hikvision
Bosch	Mobotix
Honeywell	Interlogix
Arecont	GeoVision

PROJECT MANAGEMENT

STS360 knows the only way a project will be successful is if all key components come together and are well organized and managed both before and throughout the entirety of the implementation. The key components of a project are Scope, Schedule (time), Budget (cost) and of course, Quality. At STS360 our project managers focus on these key elements and are supported by a solid team of professionals working to exceed expectations.



A project always starts with **Scope**; do the customer and STS360 clearly understand and agree upon the scope of work and products to be installed? This does not simply refer to what is proposed and awarded, this is more granular and begins as soon as the contract is awarded. The STS360 design team will work with the City of Abilene stakeholders to tour facilities, refine any unique design needs for each location and environment, and present a final design and scope for each location to the City of Abilene Stakeholders. Once the design is agreed upon, the project manager will work with the Executive Stakeholders and the STS360 Project Coordinator to schedule a project kickoff meeting for all involved parties including all City of Abilene support team stakeholders, The City of Abilene IT Department, STS360 project team members, STS360 Executive Oversight, and any subcontractor representatives. Prior to this meeting the STS360 project manager will review pre-project documentation with the Executive Stakeholders, including but not limited to system rights and configuration settings, final drawings & diagrams, phase schedules and milestones, and communication plan with assigned roles and responsibilities. Any revisions will be completed prior to the kickoff meeting. We propose the project kickoff meeting be held on site and the installation schedule, security procedures / risk mitigation, and communication plan be addressed. After the formal kickoff meeting, we propose to have each site walked before any equipment is placed or installed to seek approval for any penetrations, equipment placements or special considerations. Also, this allows the local representative whether that be the IT Manager or The City of Abilene Engineer or whomever the Town assigns, to become familiarized with the scope, schedule and team that will be working with on their territory.

The next key component of course is managing **Budget (Cost)**. STS360 does not believe in going in low and change ordering our customers' after award to gain our profit. What we propose is what you pay. The only time you will see STS360 asking you for a revision to a purchase order is if the customer asks us to add additional components to the scope. If something was missed in our proposal STS360 takes liability for any impact to our profitability that causes. If our costs increase on equipment or labor STS360 takes liability for the impact to our profitability. Return on investment is an important factor that we must consider when designing a project, especially when budgets are tight and recurring fees just add to the overall cost but provide little value over the life of the final product itself. With that in mind, STS360 has provided cameras with a 3-year manufacturer warranty, Servers, and Storage with a 5-year manufacturer warranty and a video management system that does not require annual fees to receive future upgrades like many VMS on the market today. The products we have chosen are from market leaders in their respective technologies and the Video Insight Video Management System was specifically designed for use in enterprise scenarios with an eye to quality and long-term ROI.

Thirdly we have **Schedule (Time)**. On projects time, can have a way of running away from you if not managed properly, and we know our clients' time and their need to have a functional system as quickly as possible is paramount. As part of our project plan, we have proposed this project be completed in

multiple phases to ensure an expeditious completion to all aspects of the scope of work. We will consider each install a “phase” and while some of these phases may run concurrently as they are able to be managed separately to make best use of resources. We are dedicated to a smoothly run project. To delay each significant milestone, punch lists, 3rd party testing & documentation acceptance until the end of the project when ALL locations are completed, will create a bottleneck at the end of the project and prolong a successful completion. Therefore, we will attend to each installation location as a separate “phase.” STS360 will also train local and administrative staff after each facility is installed instead of just waiting until the end. We will also conduct a final training with any parties that need to attend or want to be refreshed, in a central location for a min 4 hours if required.

Lastly but not least you cannot talk about a project plan without discussing **Quality**. Quality control checks and balances must be a continuous part of a project, not left to the end of a project. Leaving quality control to the end of a project leads to extensive punch lists, delayed documentation completion, throwing off the schedule & most importantly will make the Town question our qualifications. Before any product even reaches the Town for installation it will be bench tested in our lab in Carrollton to ensure it is functional. It will then be burned in for a period of no less than 24hrs, in a simulation exactly to scope for this project, to ensure the functionality is working correctly. Then all cameras will be pre-configured with IP addresses provided by the Town and labeled by location, IP address and the system documentation started before it ever leaves our facility. Each site will be assigned a job supervisor and enough crew members to complete the job on time or earlier. Senior Technicians and /or Project Manager will be visiting each facility at a minimum of 2 days per week if not more to manage the supervisors progress, do spot quality checks, ensure that the workspaces are being kept clean and safe, and to retrieve documentation. If the senior technician or the project manager find any discrepancies, they are immediate addressed and fixed by the appropriate party. Our Project Coordinator continually does audits on the work product coming from the field, e.g. Is the project team on schedule? What staff is onsite and what did they do that day? Did they show up on time and leave on time? Are there additional materials or equipment needed to be sent out and when does it need to be delivered? Are the system documentation and drawings being updated and added to our secured CRM, so we always have the most up to date information? Is the system documentation correct and formatted clearly? At the end of the project phase and upon our own internal review of quality, STS360 will notify the Town that we are ready for a final system test and punch list walkthrough assessment with the assigned stakeholder. Any discrepancies found are noted and corrections made immediately. The likelihood of a significant punch list, however, is slim due to our dedication to quality throughout the installation.

STS360 takes project and service management very seriously because that is ultimately our product to our customers. You cannot hide a lack of organization and efficiency in managing large projects and long-term service contracts, and we do not have to. STS360 has made significant investments in building a customized Customer Resource Management System using the Salesforce Enterprise Cloud Platform to meet our specific operational needs and goals. We have developed a workflow through Salesforce that automates every facet of a project from opportunity through service contracts and everything in between. For example, this opportunity is logged into our system and includes every email, RFP document, drawing, walkthrough details, other notes, phone call, partner, customer contacts and roles, subcontractor contacts and roles and other related information. Should STS360 be awarded the contract, it will be converted to a project in salesforce where all documentation pertaining to the entire project including purchase order, payment terms, communication



plan, schedule, contacts, emails, notes, etc... will all be kept. Within that project, it will be broken into separate related and those specific milestones, completion dates, percentage of completion, schedules, correspondence, related documentation, etc... will all be kept. Once all phases of the project are completed and the Town has accepted the documentation, system and warranty, the project is closed, and a contract is created. The contract contains the accepted warranty contract, the start date, end date, notification is set for 90 days prior to expiration to both sales and the client, and related software and hardware contracts direct with the manufacturer. When a work order is called in, STS' service department creates the work order under that contract and all service activity can be followed by pulling up the contract and clicking onto any of the work orders related to the contract. While STS360 is proud that we have a low turnover rate, and we have the highest esteem for the organization of our personnel, sometimes people leave, or things get misplaced. With Salesforce, we have all but removed those concerns from the process as everything is stored in the secure cloud and audited throughout for completeness. Any new person looking for information on the fourth year of a warranty on what transpired during the installation or to answer a question about the original proposal can simply follow the chain of events as every single component is linked in hierarchical order and is just a click away.

To conclude this section, it is important that we note that not only will we comply with the documentation that is requested by the Town in Visio format & manufacturer warranty certifications., STS360 also provides an extensive amount of data that is searchable and updated throughout the warranty period as equipment is replaced. This includes but is not limited to any serial numbered device showing the following information:

- Part Number
- Description
- Serial Number
- Mac Address
- Ip Address
- Campus / Facility
- Camera Name
- Camera Installation Location
- Camera Mount Type
- Indoor / Outdoor Designation
- Associated IDF / MDF
- Associated Rack
- Associated Patch Panel Ports
- Associated Network Switch Name
- Associated Network Switch Ports
- Associated Power Source (If Applicable)
- Camera Settings
- Live and Recording Settings
- Live Server Path
- Archive Path
- Mfg. Warranty
- And Other Related Settings

D. REFERENCES

STS360 References – May be contacted at the will of The City of Abilene

PREMISE SECURITY REFERENCE	
Organization Name:	TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Contact Name/Title:	CHERYL COWART / ASSISTANT DIRECTOR, GOVERNMENTAL CONTRACTS BRANCH
Telephone/Email:	(936) 437-7119 / CHERYL.COWART@TDCJ.TEXAS.GOV
Project Description:	Multiple Surveillance Projects since 2008, over 12,000 IP Cameras installed across multiple campuses from Maximum Security to Administrative facilities.
Total Projects Value:	\$36,000,000.00+
Contract/Date of Installation:	Multiple
Number of Campuses Serviced:	110 Including 10 Maximum Security Prisons

PREMISE SECURITY REFERENCE	
Organization Name:	CITY OF DALLAS
Contact Name/Title:	SGT. STEPHAN GABLE / POLICE TECHNOLOGY PROJECT MANAGER
Telephone/Email:	(214) 671-3107 / STEPHAN.GABLE@DPD.CI.DALLAS.TX.US
Project Description:	Same Proposed Solution: Conversion from ONSSI to Panasonic Video Insight Citywide. Multiple Panasonic camera installations in and across City Infrastructure. Beyond facility cameras, deployed Wireless LTE Cameras, Trailers, Centralization of Surveillance at PD HQ. Decentralized Solution. 4,715 cameras to be installed.
Total Projects Value:	\$18,000,000.00+
Contract/Date of Installation:	Multiple, 5-Year Contract started 9/11/2019
Number of Campuses Serviced:	100+ Facilities

PREMISE SECURITY REFERENCE	
Organization Name:	CITY OF FORT WORTH
Contact Name/Title:	LEAH HUFF / SENIOR IT SOLUTIONS MANAGER
Telephone/Email:	(682) 201-7925 / LEAH.HUFF@FORTWORTHTEXAS.GOV
Project Description:	Same Proposed Solution: Multiple Panasonic Video, Access Control, and Intrusion installations in and across city infrastructure. Centralized Solution. Integrating Citywide Intrusion.
Total Projects Value:	\$3,000,000.00+
Contract/Date of Installation:	Multiple, 5-Year Contract started 11/05/2019
Number of Campuses Serviced:	100+ Facilities

PREMISE SECURITY REFERENCE

Organization Name:	CITY OF DENTON
Contact Name/Title:	JOHN DURNELL / TECHNOLOGY SERVICES SYSTEMS ARCHITECT
Telephone/Email:	(940) 349-7763 / JOHN.DURNELL@CITYOFDENTON.COM
Project Description:	Installation and support of approx. 400+ cameras, wireless mesh networked systems, point to point wireless networked systems, and standard internal IP networked systems.
Total Projects Value:	\$2,000,000.00+
Contract/Date of Installation:	Multiple,
Number of Campuses Serviced:	35+ Facilities

PREMISE SECURITY REFERENCE

Organization Name:	TEXAS DEPARTMENT OF MOTOR VEHICLES
Contact Name/Title:	CHRIS STURM / FACILITIES MANAGER
Telephone/Email:	(512) 465-3835 / CHRIS.STURM@TXDMV.GOV
Project Description:	Turnkey Installation at all regional service centers across the state, Open Options Access Control, OnSSI/Hanwha for Video Surveillance, Honeywell Intrusion, Fire.
Total Projects Value:	\$1,800,000.00
Contract/Date of Installation:	Multiple
Number of Campuses Serviced:	20+ Facilities

PREMISE SECURITY REFERENCE

Organization Name:	TEXAS DEPARTMENT OF TRANSPORTATION
Contact Name/Title:	ANDY W. RICE / PROJECT MANAGEMENT - FACILITIES MGR
Telephone/Email:	(512) 486-5816 / ANDY.RICE@TXDOT.GOV
Project Description:	Installation of Video Surveillance Solution Statewide involving Data Cabling, IT Closet Modifications, Server Implementations and Camera Installations.
Total Projects Value:	\$500,000.00
Contract/Date of Installation:	Multiple
Number of Campuses Serviced:	14 Facilities Statewide

PREMISE SECURITY REFERENCE

Organization Name:	CITY OF MURPHY
Contact Name/Title:	TAYLOR PRENTICE / IT DIRECTOR
Telephone/Email:	(972) 468-4027 / TPRENTICE@MURPHYTX.ORG
Project Description:	Citywide implementation of Video Surveillance and Access Control utilizing Mercury Panels and Panasonic Security Suite. Implementing Gates and Electrical. Video Insight/Monitorcast Implementation
Total Projects Value:	\$400,000.00
Contract/Date of Installation:	Multiple
Number of Campuses Serviced:	12 Facilities

E. SCOPE OF WORK - Impound Lot

STS360 is pleased to offer the below proposal, as it encompasses the essence of who we are and could not be more in line with the services and experience we can bring to the table in support of the City of Abilene (known hereafter as COA). Having performed projects of this size as well as smaller and much larger alike, successfully, STS360 is confident in our ability to exceed expectations and achieve the system and timeline goals set forth by COA.

In the event of award, STS360 will be responsible for providing COA with a complete turnkey Cloud Video Surveillance System at City of Abilene Police Impound Lot as defined in STS360 proposal. STS360 has been a Verkada dealer for over 4 years and has 6 fulltime employees annually certified in these solutions.

OVERVIEW:

STS360 will be responsible for installing, configuring, and servicing the following, including:

- All New Outdoor Pole Mounted 4K (8MP) Verkada Cameras with 10 Year warranty and supporting 5-year Cloud Licenses
- All supporting pole mount brackets for Cameras
- All required Cambium wireless devices to transmit and receive video to main building.
- All outdoor rated cabling and electrical work to existing poles.
- All required VMS software Licenses, clients, integrations, etc.
- Installation
 - All installation of new outdoor cameras including mounting and focusing of new cameras.
 - All installation of wireless devices at pole and main building to include any required cabling and configuration.
 - Installation of all enclosures, switches, and power modules.
 - Dedicated System engineer for Programming and Configuration of Verkada software, Switches, and Cambium wireless devices
- Service / Maintenance for 1 year included with
 - Onsite repair, troubleshooting, replacement/ Routine servicing / preventative maintenance for 1 Year with dedicated onsite service technician at all times as needed. See warranty section for additional support details.

It is the City responsibility to ensure the following are available:

- AC Power at main building.
- STS360 will use all existing poles as noted on the drawing. Poles must have constant power.
- PoE network switch ports at main building for all receiving radios to come on to City Network.
- IP address for all cameras and wireless devices on City network
- All Network (WAN/LAN) from main building.
- Any workstations, mobile devices and monitors required for viewing.

STS360 has provided all hardware, labor, programming, and accessories to implement proposed Video Surveillance system with the exclusion of any items specifically noted to be provided by the City. All components of the system will be installed in a neat, professional manner by certified technicians.

STS360 has provided a 1-year full hardware and labor onsite warranty for all STS360 supplied and installed components. STS360 warranties and guarantees all products, material, labor, and work done

for City on this project. All new hardware and installation will be covered under the 1-year onsite warranty. All warranty replacement, installation, integration, maintenance, and required testing will be provided at no cost to the City within this 1-year period. STS360 is offering a 24/7 toll free service support line, 2-hour engineer on phone response and 24-48 hour onsite response. All requests for service, maintenance, troubleshooting and preventive maintenance will be handled by through our service department dispatch and case generated immediately upon call. Additional local technicians available for any overage or additional support required.

All new Video Management software provided will be Verkada VMS. All outdoor rated cameras will be the Verkada CB61-30E-HW 4K IR Bullet Camera with supporting pole mount bracket.

All wireless Devices will be Cambium Point to Multipoint radios with all supporting licenses, bandwidth and supporting antennas. Each pole will get one radio pointed back to main building. Main building will have multiple radios mounted at point where line of sight is achieved. STS360 will run cable from radio back down in to main building and connect to City provided network switch.

City will be responsible for providing all monitors and workstations required for client viewing. City will be responsible for providing all network and switch ports at the Tower location.

STS will work with City to determine best options for configurations of camera settings, maps, active directory, etc. STS will provide all programming/setup, configuration and installation of all cameras, and software. STS will supply comprehensive closeout documentation to include detailed system documentation, as built, manuals, etc. STS will provide all required training per the RFP specifications.

ASSUMPTIONS AND EXCEPTIONS:

- Assumes all AC Power provided at main building and constant power available at each pole location. STS360 will provide electrician to tap constant power at each pole.
- Assumes all POE switch ports required for main building Receiving Radios provided by City
- All required City WAN/LAN network at main building provided by City
- Assumes all Rack space at main building provided by City.
- Assumes City will provide any required workstations, monitors, or smart devices for client viewing.
- Proposal only includes products and services specifically listed in BOM and SOW
- No fiber cabling product or labor has been included in this proposal.



City of Abilene Police Department
Impound Lot Wireless Video Surveillance System

Quote: COAPD20211407
Date: 10/18/2021
Prepared by: CHANDLER RAWLINGS
BUYBOARD: 574-18

Complete Project					
Part #	Manuf.		Qty	Unit Price	Extended Price
ACC-MNT-9	Verkada	Pole Camera Mount for CB61 Bullet	24	\$140.45	\$3,370.80
CB61-30E-HW	Verkada	4K Outdoor Bullet Camera - 30 days storage	24	\$1,208.93	\$29,014.32
CD31-15-HW	Verkada	2MP Indoor Dome Camera - 30 Days Storage	1	\$402.53	\$402.53
CD51-30E-HW	Verkada	5MP Outdoor Dome Camera - 30 Days Storage	3	\$805.73	\$2,417.19
D80-HW	Verkada	12MP Outdoor Vandal Fisheye 360/180 Dome Camera - 30 Day Storage	1	\$1,276.13	\$1,276.13
LIC-5Y	VERKADA	5 Year Camera License	29	\$536.93	\$15,570.97
CVD13SPUSA-US	Cambium	cnVision Client MICRO 13 dBi IP55 (FCC) (US cord)	10	\$228.82	\$2,288.20
CVH00RPUSA-US	Cambium	cnVision Hub 360 integrated 8dBi omni IP67 (FCC) (US cord)	1	\$349.24	\$349.24
C000000L065A	Cambium	Gigabit Surge Suppressor (30V)	11	\$36.29	\$399.19
MXEX2010PxA-U	Cambium	cnMatrix EX2010-P, Intelligent Ethernet PoE Switch, 8 1G and 2 SFP fiber ports - USA power cord	9	\$700.56	\$6,305.04
NBB141207	L-COM	ENCL,FRP BK 14X12X7" W/120VAC	9	\$471.92	\$4,247.28
HGX-PMT28	L-COM	MNT,NEMA 4-7INCH POLE MNT	9	\$73.15	\$658.35
NB14-RP10F	L-COM	REPLACEMENT PLATE FOR ENCLOSURE	9	\$165.36	\$1,488.24
77-240-2B	Superior Essex	CAT6 CMP Blue 1000' Box	1	\$252.00	\$252.00
6DBFLD234UTPL1B	Remee	Cat6 23awg 4p Osp Flooded Poly 500ft Reel Black	2	\$144.47	\$288.94
ELECTRICAL	STS360	Electrician - Tap Existing Power On Pole - Set 110 Outlet inside NEMA enclosure - <i>Poles must have constant power</i>	9	\$1,235.00	\$11,115.00
MISC	STS360	Misc. Installation Accessories and Consumables (Lift Rental, Conduit, Boxes, Connectors)	1	\$1,950.00	\$1,950.00
TPM	STS360	Onsite System Engineer for Programming and Configuration, Project Management, Closeout	1	\$2,600.00	\$2,600.00
LABOR	STS360	Turnkey (29) Camera Cloud/Wireless System Installation	1	\$14,250.00	\$14,250.00
WARRANTY	STS360	1 Year Onsite Parts and Labor Warranty	1	\$4,550.00	\$4,550.00
Total Sale Price					\$102,793.42

E. SCOPE OF WORK – City Link

STS360 is pleased to offer the below proposal, as it encompasses the essence of who we are and could not be more in line with the services and experience we can bring to the table in support of the City of Abilene (known hereafter as COA). Having performed projects of this size as well as smaller and much larger alike, successfully, STS360 is confident in our ability to exceed expectations and achieve the system and timeline goals set forth by COA. In the event of award, STS360 will be responsible for providing COA with a complete turnkey Cloud Video Surveillance System at City of Abilene City Link location as defined in STS360 proposal. STS360 has been a Verkada dealer for over 4 years and has 6 fulltime employees annually certified in these solutions.

OVERVIEW: STS360 will be responsible for installing, configuring, and servicing the following, including:

- STS360 will provide (17) Exterior 4K bullet cameras.
- (18) Interior 5MP dome camera.
- (1) 4K Fisheye camera with all supporting 5-year cloud licenses.
- STS360 will provide all programming, installation, focusing and configuration of cameras.
- STS360 will provide (1) 4-Door Controller.
- (4) HID readers and supporting 5-year Cloud licenses.
- STS360 will utilize all exiting electronic locks and strikes.
- STS360 will re-cable each door and remove Infinias controllers.
- STS360 will provide all access control programming.
- For the intrusion STS360 will provide 2 new touch screen alarm consoles, and new Verkada Alarm panel with all required 5-year alarm system and console licenses.
- STS360 will connect and terminate all exiting intrusion devices on to new panel. Assumes all intrusion and electronic locks are in working order. No conduit or electrical work included as part of this proposal.
- STS360 will supply lift as needed.
- All required VMS software Licenses, clients, integrations, etc.
- All installation of new outdoor cameras including mounting and focusing of new cameras.
- All installation of wireless devices at pole and main building to include any required cabling and configuration.
- Installation of all enclosures, switches, and power modules.
- Dedicated System engineer for Programming and Configuration of Verkada software, Switches, and Cambium wireless devices
- Service / Maintenance for 1 year included with
- Onsite repair, troubleshooting, replacement/ Routine servicing / preventative maintenance for 1 Year with dedicated onsite service technician at all times as needed. See warranty section for additional support details.

It is the City responsibility to ensure the following are available:

- IP address for all cameras and wireless devices on City network
- All Network (WAN/LAN) from main building.

- Will provide all POE switch ports, rack space and UPS.
- Any workstations, mobile devices and monitors required for viewing.

STS360 has provided all hardware, labor, programming, and accessories to implement proposed Video Surveillance system with the exclusion of any items specifically noted to be provided by the City. All components of the system will be installed in a neat, professional manner by certified technicians. STS360 has provided a 1-year full hardware and labor onsite warranty for all STS360 supplied and installed components. STS360 warranties and guarantees all products, material, labor, and work done for City on this project. All new hardware and installation will be covered under the 1-year onsite warranty. All warranty replacement, installation, integration, maintenance, and required testing will be provided at no cost to the City within this 1-year period. STS360 is offering a 24/7 toll free service support line, 2-hour engineer on phone response and 24-48 hour onsite response. All requests for service, maintenance, troubleshooting and preventive maintenance will be handled by through our service department dispatch and case generated immediately upon call. Additional local technicians available for any overage or additional support required.

ASSUMPTIONS AND EXCEPTIONS:

- Assumes all AC Power provided at main building.
- Assumes all POE switch ports required.
- All required City WAN/LAN network.
- Assumes all Rack space and UPS.
- Assumes City will provide any required workstations, monitors, or smart devices for client viewing.
- Proposal only includes products and services specifically listed in BOM and SOW
- No fiber cabling product or labor has been included in this proposal.
- Assumes use of all exiting Cat5/6 cabling for cameras.

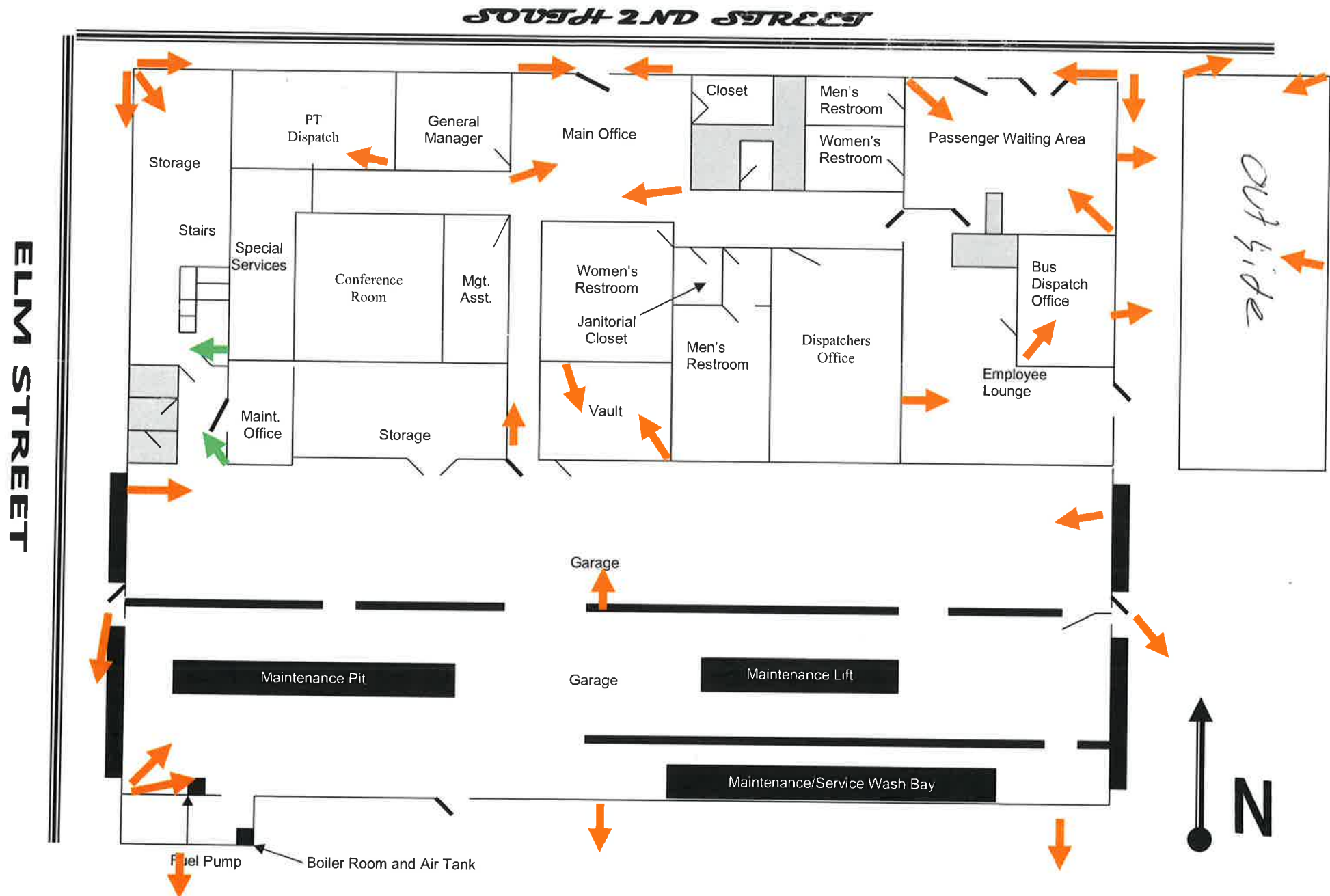


BILL OF MATERIALS							
PART #	MFG.	DESCRIPTION	QTY.	MSRP	DISCOUNT	UNIT PRICE	EXT PRICE
BC51-HW	Verkada	BC51 Alarm Console	2	\$999.00	40%	\$604.20	\$1,208.40
BP41-HW	Verkada	BP41 Alarm Panel	1	\$999.00	40%	\$604.20	\$604.20
CB61-30E-HW	Verkada	CB61-E Outdoor Bullet Camera, 30 Days	17	\$1,799.00	33%	\$1,208.93	\$20,551.81
CD41-30-HW	Verkada	CD41 Indoor Dome Camera, 30 Days	18	\$799.00	40%	\$483.24	\$8,698.32
CF81-30E-HW	Verkada	CF81-E Outdoor Fisheye Camera, 30 Days	1	\$1,999.00	40%	\$1,209.00	\$1,209.00
LIC-5Y	Verkada	5 Year Camera License	36	\$799.00	33%	\$536.93	\$19,329.48
LIC-BA-5Y	Verkada	5 Year Alarm License	1	\$5,999.00	33%	\$4,031.33	\$4,031.33
LIC-BC-5Y	Verkada	5 Year Alarm Console License	2	\$999.00	40%	\$604.20	\$1,208.40
AC41-HW	Verkada	Verkada 4 Door Controller	1	\$1,599.00	33%	\$1,074.53	\$1,074.53
LIC-AC-5Y	Verkada	5 year Cloud License (Per Door)	4	\$600.00	33%	\$403.20	\$1,612.80
FPO75-D8PE2M	Life Safety Power	MCLASS™ UNIFIED POWER SYSTEM 150W / 12/24VDC / 4Doors 8 Auxiliary Class II Outputs	1	\$386.00	29%	\$275.36	\$275.36
920PTNNEK00000	HID	MultiClass Reader, RP40, Wall Switch, HID/AWID/EM4102 Prox, SIO/SEOS + Legacy, Std Ver. 1 Keyset, Wiegand, Pigtail Cable: 18" (0.45m), Idel LED: Red, Response: Green LED, 1 Beep, Black	4	\$317.00	51%	\$154.98	\$619.92
77-240-2B	Superior Essex	23/4PR CAT6 CMP/FT6 1M BX BLU	1	\$499.00	48%	\$258.75	\$258.75
31955099	Honeywell	18(4)+22(2+4+6)1S CMP PROFN 500	3	\$599.00	39%	\$364.10	\$1,092.30
MISC	STS360	Misc. Accessories and Consumables batteries and lift rental	1	\$3,120.00	40%	\$1,560.00	\$1,560.00
TPM	STS360	Management and Programming	1	\$4,200.00	40%	\$2,100.00	\$2,100.00
LABOR	STS360	Project Implementation and Installation	1	\$27,600.00	40%	\$13,800.00	\$13,800.00
WARRO1	STS360	1 Year Onsite Parts and Labor Warranty	1	\$6,000.00	40%	\$3,000.00	\$3,000.00
						TOTAL	\$82,234.60
STS360 will provide (17) Exterior 5MP bullet cameras, (18) Interior 5MP dome camera and (1) 4K Fisheye camera with all supporting 5-year cloud licenses. STS360 will provide all programming, installation, focusing and configuration of cameras. Assumes use of all exiting Cat5/6 cabling for cameras. STS360 will provide (1) 4-Door Controller, with (4) HID readers and supporting 5-year Cloud licenses. STS360 will utilize all exiting electronic locks and strikes. STS360 will re-cable each door and remove Infinias controllers. STS360 will provide all access control programming. For the intrusion, STS360 will provide 2 new touch screen alarm consoles, and new Verkada Alarm panel with all required 5-year alarm system and console licenses. STS360 will connect and terminate all exiting intrusion devices on to new panel. Assumes all intrusion and electronic locks are in working order. No conduit or electrical work included as part of this proposal. STS360 will supply lift as needed.							

OPTION: If intrusion devices need to be replaced here are the costs.							
PART #	MFG.	DESCRIPTION	QTY.	MSRP	DISCOUNT	UNIT PRICE	EXT PRICE
BR11-HW	Verkada	Verkada BR11 Wired Motion Sensor	1	\$99.00	40%	\$59.88	\$59.88
BR12-HW	Verkada	BR12 Wired Surface Mount Door Contact	1	\$99.00	40%	\$59.88	\$59.88
DT8035V	Honeywell	DT8035V DUAL TEC Motion Sensor	1	\$85.00	43%	\$48.15	\$48.15

COST PER DEVICE REPLACMENT							
PART #	MFG.	DESCRIPTION	QTY.	MSRP	DISCOUNT	UNIT PRICE	EXT PRICE
INSTALL	STS360	PER INTRUSION DEVICE	1	\$325.00	40%	\$162.50	\$162.50
						TOTAL	\$162.50

CityLink Transit Facility Surveillance Locations



E. SCOPE OF WORK – Water and Sewer

STS360 is pleased to offer the below proposal, as it encompasses the essence of who we are and could not be more in line with the services and experience we can bring to the table in support of the City of Abilene (known hereafter as COA). Having performed projects of this size as well as smaller and much larger alike, successfully, STS360 is confident in our ability to exceed expectations and achieve the system and timeline goals set forth by COA. In the event of award, STS360 will be responsible for providing COA with a complete turnkey Cloud Video Surveillance System at City of Abilene Water and Sewer location as defined in STS360 proposal. STS360 has been a Verkada dealer for over 4 years and has 6 fulltime employees annually certified in these solutions.

OVERVIEW: STS360 will be responsible for installing, configuring, and servicing the following, including:

- Install (6) 4K Outdoor Bullet Camera - 30 days storage
- Install (2) CD41 Indoor Dome Camera, 30 Days
- Mount (2) of the 4K Outdoor Bullet Cameras on a pole overlooking the gate and equipment storage.
- Install a point to point back to the main building.
- STS360 has provided a (8) Reader Turnkey Access Control System
- Verkada 4 door controllers and all required electrified Strikes and replacement door hardware (will use exiting locksets where possible).
- STS360 will provide all readers, electrified locking devices, power supplies, controllers, licenses, cabling, installation and programming.
- STS360 will connect and terminate all exiting intrusion devices on to new panel. Assumes all intrusion and electronic locks are in working order.
- STS360 will supply lift as needed.
- All required VMS software Licenses, clients, integrations, etc.
- All installation of new outdoor cameras including mounting and focusing of new cameras.
- All installation of wireless devices at pole and main building to include any required cabling and configuration.
- Installation of all enclosures, switches, and power modules.
- Dedicated System engineer for Programming and Configuration of Verkada software, Switches, and Cambium wireless devices
- Service / Maintenance for 1 year included with
- Onsite repair, troubleshooting, replacement/ Routine servicing / preventative maintenance for 1 Year with dedicated onsite service technician at all times as needed. See warranty section for additional support details.

It is the City responsibility to ensure the following are available:

- IP address for all cameras and wireless devices on City network
- All Network (WAN/LAN) from main building.
- Will provide all POE switch ports, rack space and UPS.
- Any workstations, mobile devices and monitors required for viewing.

STS360 has provided all hardware, labor, programming, and accessories to implement proposed Video Surveillance system with the exclusion of any items specifically noted to be provided by the City. All components of the system will be installed in a neat, professional manner by certified technicians. STS360 has provided a 1-year full hardware and labor onsite warranty for all STS360 supplied and installed components. STS360 warranties and guarantees all products, material, labor, and work done for City on this project. All new hardware and installation will be covered under the 1-year onsite warranty. All warranty replacement, installation, integration, maintenance, and required testing will be provided at no cost to the City within this 1-year period. STS360 is offering a 24/7 toll free service support line, 2-hour engineer on phone response and 24-48 hour onsite response. All requests for service, maintenance, troubleshooting and preventive maintenance will be handled by through our service department dispatch and case generated immediately upon call. Additional local technicians available for any overage or additional support required.

ASSUMPTIONS AND EXCEPTIONS:

- Assumes all AC Power provided at main building.
- Assumes all POE switch ports required.
- All required City WAN/LAN network.
- Assumes all Rack space and UPS.
- Assumes City will provide any required workstations, monitors, or smart devices for client viewing.
- Proposal only includes products and services specifically listed in BOM and SOW
- No fiber cabling product or labor has been included in this proposal.
- Assumes use of all exiting Cat5/6 cabling for cameras.
- City will provide network ports for connection of controllers.



BILL OF MATERIALS							
PART #	MFG.	DESCRIPTION	QTY.	MSRP	DISCOUNT	UNIT PRICE	EXT PRICE
CB61-30E-HW	Verkada	4K Outdoor Bullet Camera - 30 days storage	6	\$1,799.00	33%	\$1,208.93	\$7,253.58
CD41-30-HW	VERKADA	CD41 Indoor Dome Camera, 30 Days	2	\$799.00	33%	\$536.93	\$1,073.86
ACC-MNT-9	VERKADA	Pole Mount, 2nd Generation	2	\$209.00	33%	\$140.45	\$280.90
LIC-5Y	VERKADA	5 Year Camera License	8	\$799.00	33%	\$536.93	\$4,295.44
QL-ML342LV-PAIR	Ascendance Wrls	(2 SYSTEMS) 802.11N 300MBPS OUTDOOR MNT BRACKET	1	N/A	N/A	\$411.92	\$411.92
PPS-305AC24VDC-300W-BE2	Ascendance Wrls	Perpetual Pwr Station 90-305vac 24vdc 320w	1	N/A	N/A	\$1,573.59	\$1,573.59
SW-POE5G-1224	Ascendance Wrls	5 PORT SWITCH (POE) - INDUSTRIAL GRADE 10/100/1000	1	N/A	N/A	\$386.05	\$386.05
77-240-2B	SUPERIOR ESSEX	Copper Cable,4 Pair, 23 AWG Category 6 CMP Blue 1,000 FT. Pop Box	2	N/A	N/A	\$243.79	\$487.58
MISC	STS360	Misc. Accessories and Consumables batteries and lift rental	1	\$3,000.00	40%	\$1,500.00	\$1,500.00
TPM	STS360	Management and Programming	1	\$2,080.00	40%	\$1,040.00	\$1,040.00
LABOR	STS360	Project Implementation and Installation	1	\$10,800.00	40%	\$5,400.00	\$5,400.00
WARRO1	STS360	1 Year Onsite Parts and Labor Warranty	1	\$2,250.00	40%	\$1,125.00	\$1,125.00
						TOTAL	\$24,827.92



City of Abilene
Water and Sewer Access Control

QUOTE: COA20210806
PURCHASE ON BUYBOARD CONTRACT: 574-18
PREPARED BY: Chandler Rawlings

Access Control								
PART #	MFG.	DESCRIPTION	QTY.	MSRP	QUOTE DISCOUNT	UNIT PRICE	EXT PRICE	
CONTROLLER4	Verkada	Verkada 4 Door Controller	3	\$ 1,599.00	34%	\$1,055.34	\$	3,166.02
LIC-AC-5Y	Verkada	5 year Cloud License (Per Door)	8	\$ 600.00	34%	\$396.00	\$	3,168.00
FPO150/150-C8D8E2	Life Safety Power	Access Control Power System, Standard, Fused, 12 Ampere 12 Volt DC/6 Ampere 24 Volt DC, 150/150 Watt, 8-Door, 8-Lock, 8 Auxiliary, 20" Width x 4.5" Depth x 16" Height	2	\$ 899.00	45%	\$497.45	\$	994.90
910PTNNEK00000	HID	RP15 MultiCLASS Reader SE Reader, Standard PROX, Standard, Wiegand, Pigtail, Black	8	\$ 317.00	51%	\$154.98	\$	1,239.84
RX-MEL-25-V-NL US26D 36 RHR LBR	FALCON	RX-MEL-25-V-NL US26D 36 Rhr lbr MOTORIZED LATCH RETRACTION REQ2EXIT,LBR	1	\$ 2,150.00	45%	\$1,182.50	\$	1,182.50
NC450 US32D	ALLEGION	NC450 US32D LBM Light-duty Electric strike for cylindrical locks and select Mortise	1	\$ 224.00	50%	\$112.90	\$	112.90
MC-4	Security Door Controls	Magnetic Switch, SPDT, 50 Milliampere at 30 Volt DC, 0.75" Diameter x 1" Depth Door/Frame, 0.5" Gap, Off White	8	\$ 52.00	44%	\$28.96	\$	231.68
Z7252EQ	SDC	Electrified Cylindrical Lockset, Fail Secure, Eclipse Lever Trim, Outside Locked, SPDT REX Output, 12/24 Volt DC, 600/300 Milliampere, 9/16" Throw Latch Bolt, Dull Chrome Plated	6	\$ 457.00	35%	\$295.68	\$	1,774.08
PTH-4Q	SDC	Electric Power Transfer Hinge, 4-Conductor, 1A at 12/24 Volt, 4.5" x 4.5", 626 Dull Chrome	7	\$ 164.00	38%	\$101.28	\$	708.96
QL-ML342LV-PAIR	ASCENDANCE WLS	QUICKLINX (PTP KIT - 2 SYSTEMS) 802.11N	1	N/A	N/A	\$411.92	\$	411.92
SW-POE5G-1224	ASCENDANCE WLS	SWITCH (POE) - INDUSTRIAL GRADE 10/100/1000	1	N/A	N/A	\$386.05	\$	386.05
PS-24V120W	ASCENDANCE WLS	Power Supply 24V 120W - UL/FCC	1	N/A	N/A	\$67.20	\$	67.20
BW-SL16147	MIER	Electrical Enclosure, Outdoor, Stainless Latch, NEMA 2/3/3R/3S/4/4X/5/12/13, Standard Door, 14" Width x 7" Depth x 16" Height, Polycarbonate, Gray	1	N/A	N/A	\$167.89	\$	167.89
31951099	Honeywell	18(4)+22(2+4+6)1S CMP PROFN 1M	2	\$ 1,099.00	26%	\$810.69	\$	1,621.38
77-240-2B	Superior Essex	CAT6 Plenum Cable Bleu 1000'	0.5	N/A	#VALUE!	\$247.25	\$	123.63
MISC	STS360	Misc. Installation Accessories and Consumables (Filler plates, Connectors, Patch cables, conduit, consumables, Etc.)	1	\$ 1,560.00	50%	\$780.00	\$	780.00
TPM	STS360	Onsite System Engineer for Programming and Project Management	1	\$ 3,900.00	50%	\$1,950.00	\$	1,950.00
LABOR	STS360	Turnkey 8 Door Access Control System Installation	1	\$ 18,000.00	50%	\$9,000.00	\$	9,000.00
WARRANTY	STS360	1 Year Onsite Parts and Labor Warranty	1	\$ 3,250.00	50%	\$1,625.00	\$	1,625.00
TOTAL							\$	28,711.95

STS360 has provided a (8) Reader Turnkey Access Control System with Verkada 4 door controllers and all required electrified Strikes and replacement door hardware (will use exiting locksets where possible). STS360 will provide all readers, electrified locking devices, power supplies, controllers, licenses, cabling, installation and programming. City will provide network ports for connection of controllers. City will provide required monitor and workstation.

E. SCOPE OF WORK – Convention Center

STS360 is pleased to offer the below proposal, as it encompasses the essence of who we are and could not be more in line with the services and experience we can bring to the table in support of the City of Abilene (known hereafter as COA). Having performed projects of this size as well as smaller and much larger alike, successfully, STS360 is confident in our ability to exceed expectations and achieve the system and timeline goals set forth by COA. In the event of award, STS360 will be responsible for providing COA with a complete turnkey Cloud Video Surveillance System at City of Abilene convention center location as defined in STS360 proposal. STS360 has been a Verkada dealer for over 4 years and has 6 fulltime employees annually certified in these solutions.

OVERVIEW: STS360 will be responsible for installing, configuring, and servicing the following, including:

- Install (5) 4K Outdoor Bullet Camera - 30 days storage
- Install (9) CD41 Indoor Dome Camera, 30 Days
- Mount (2) Fisheye cameras in the foyer
- STS360 has provided a (6) Reader Turnkey Access Control System
- Verkada 4 door controllers and all required electrified Strikes.
- STS360 will provide all readers, electrified locking devices, power supplies, controllers, licenses, cabling, installation and programming.
- All required VMS software Licenses, clients, integrations, etc.
- All installation of new outdoor cameras including mounting and focusing of new cameras.
- Installation of all enclosures, switches, and power modules.
- Dedicated System engineer for Programming and Configuration of Verkada software, Switches, and Cambium wireless devices
- Service / Maintenance for 1 year included with
- Onsite repair, troubleshooting, replacement/ Routine servicing / preventative maintenance for 1 Year with dedicated onsite service technician at all times as needed. See warranty section for additional support details.

It is the City responsibility to ensure the following are available:

- IP address for all cameras and wireless devices on City network
- All Network (WAN/LAN) from main building.
- Will provide all POE switch ports, rack space and UPS.
- Any workstations, mobile devices and monitors required for viewing.

STS360 has provided all hardware, labor, programming, and accessories to implement proposed Video Surveillance system with the exclusion of any items specifically noted to be provided by the City. All components of the system will be installed in a neat, professional manner by certified technicians. STS360 has provided a 1-year full hardware and labor onsite warranty for all STS360 supplied and installed components. STS360 warranties and guarantees all products, material, labor, and work done for City on this project. All new hardware and installation will be covered under the 1-year onsite warranty. All warranty replacement, installation, integration, maintenance, and required testing will be

provided at no cost to the City within this 1-year period. STS360 is offering a 24/7 toll free service support line, 2-hour engineer on phone response and 24-48 hour onsite response. All requests for service, maintenance, troubleshooting and preventive maintenance will be handled by through our service department dispatch and case generated immediately upon call. Additional local technicians available for any overage or additional support required.

ASSUMPTIONS AND EXCEPTIONS:

- Assumes all AC Power provided at main building.
- Assumes all POE switch ports required.
- All required City WAN/LAN network.
- Assumes all Rack space and UPS.
- Assumes City will provide any required workstations, monitors, or smart devices for client viewing.
- Proposal only includes products and services specifically listed in BOM and SOW
- No fiber cabling product or labor has been included in this proposal.
- Assumes use of all exiting Cat5/6 cabling for cameras.
- City will provide network ports for connection of controllers.



BILL OF MATERIALS							
PART #	MFG.	DESCRIPTION	QTY.	MSRP	DISCOUNT	UNIT PRICE	EXT PRICE
AC41-HW	VERKADA	AC41 4 Door Controller	3	\$1,599.00	34%	\$1,055.34	\$3,166.02
ACC-MNT-7	VERKADA	Angle Mount	2	\$149.00	34%	\$98.34	\$196.68
CD41-30-HW	VERKADA	CD41 Indoor Dome Camera, 30 Days	9	\$799.00	34%	\$527.34	\$4,746.06
CB61-30E-HW	Verkada	CB61-E Outdoor Bullet Camera, 30 Days	5	\$1,799.00	34%	\$1,187.34	\$5,936.70
CF81-30E-HW	VERKADA	CF81-E Fisheye Camera, 30 Days	2	\$1,999.00	34%	\$1,319.34	\$2,638.68
LIC-5Y	Verkada	5 Year Camera License	16	\$799.00	34%	\$527.34	\$8,437.44
LIC-AC-5Y	Verkada	5 year Cloud License (Per Door)	6	\$600.00	34%	\$396.00	\$2,376.00
DGS-1100-26MP	DLINK	Ethernet Switch, 26-Port, 52 Gbps Capacity, 100 to 240 VAC, 387 Watt, 50 to 60 Hertz, 17.3" Width x 11.4" Depth x 1.73 Height	3	\$667.99	24%	\$510.24	\$1,530.72
DEM-310GT	DLINK	Ethernet SFP Transceiver, LC Connector, Single-Mode 62.5 Micrometer, 1310 Nanometer, 10 Kilometer, 20 dB, 6 Volt, 0.53" Width x 2.22" Depth x 0.41" Height	3	\$27.99	23%	\$21.68	\$65.04
9600-630-LBM	HES	HES Electric Strikes	5	\$650.00	48%	\$336.71	\$1,683.55
8500-12/24D-630	HES	Electric Strike Body, Fire Rated, Compact, 12/24 Volt DC, 0.24/0.12 Ampere, 1-5/16" Depth, Satin Stainless Steel, For 8500 Series Electric Strike	1	\$541.00	47%	\$284.76	\$284.76
920PTNNEK00000	HID	iCLASS S Contactless SmartCard Reader Wall Switch	6	\$317.00	51%	\$154.98	\$929.88
MC-4	SDC	SPDT .5A CONCEALED MAG SW	6	\$54.00	44%	\$30.07	\$180.42
FPO150-C8E1	LifeSafety Power Supplies	8 lock outputs fused at 3A per output, 12A/12V or 6A/24V (150W) E1 enclosure	3	\$423.00	30%	\$297.07	\$891.21
77-240-2B	Superior Essex	4x23 CAT 6 CMP Blue 1,000ft Box	4	\$399.00	39%	\$243.79	\$975.16
31951099	Genesis	Access Control Plenum 1000 RI Profusion®	3	\$1,299.00	35%	\$847.54	\$2,542.62
MISC	STS360	Misc. Accessories and Consumables (LIFT RENTAL)	1	\$4,160.00	40%	\$2,080.00	\$2,080.00
TPM	STS360	Management and Programming	1	\$5,040.00	40%	\$2,520.00	\$2,520.00
LABOR	STS360	Project Implementation and Installation	1	\$27,600.00	40%	\$13,800.00	\$13,800.00
WARRO1	STS360	1 Year Onsite Parts and Labor Warranty	1	\$6,500.00	40%	\$3,250.00	\$3,250.00
TOTAL							\$58,230.94

ATTACHMENT B

PAYMENT SCHEDULE

OPTION 1 ____

Compensation is based on actual hours of work/time devoted to providing the described services and will be paid at a rate of \$Click or tap here to enter text. per hour not to exceed \$Click or tap here to enter text..

Contractor must submit monthly invoices to City accompanied by an explanation of charges, professional fees, and services. City will pay invoices according to its normal payment procedures.

OPTION 2 X (Payment per completion of each site – see attached quotes for amount per site)

Payment is in a lump sum amount of \$ upon completion of the work and written acceptance by City's Project Representative.

No mechanic, contractor, subcontractor, materialman or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, the Contractor must execute and provide City with an Affidavit that all bills for labor, materials and incidentals incurred by subcontractors, materialmen, mechanics and suppliers under this agreement have been paid in full, and that there are no claims pending of which Contractor has been notified.

OPTION 3 ____

Payment is a fixed fee amount of \$Click or tap here to enter text. payable per Click or tap here to enter text. upon completion of the work and written acceptance by City's Project Representative.

No mechanic, contractor, subcontractor, materialman or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, the Contractor shall execute and provide City with an Affidavit that all bills for labor, materials and incidentals incurred by subcontractors, materialmen, mechanics and suppliers under this agreement have been paid in full, and that there are no claims pending of which Contractor has been notified.

ATTACHMENT C

STATE MANDATED WORKERS' COMPENSATION INSURANCE LANGUAGE THIS ATTACHMENT IS ONLY APPLICABLE IF WORKERS' COMPENSATION COVERAGE IS PROVIDED

a. Definitions

Certificate of coverage ("certificate") - a copy of a certificate of insurance, a certificate of authority to self-insure issued by the commission, or a coverage agreement (TWCC-81, TWCC-82, TWCC-83, or TWCC-84), showing statutory workers' compensation insurance coverage for the person's or entity's employees providing services on a project, for the duration of the project.

Duration of the project - includes the time from the beginning of the work on the project until the contractors'/person's work on the project has been completed and accepted by the City.

Persons providing services on the project ("subcontractors" in 406.096) - includes all persons or entities performing all or part of the services the contractor has undertaken to perform on the project, regardless of whether that person contracted directly with the contractor and regardless of whether that person has employees. This includes, without limitation, independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity which furnishes persons to provide services on the project. "Services" include, without limitations, providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets.

- b. The Contractor shall provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all employees of the contractor providing services on the project, for the duration of the project.
- c. The Contractor must provide a certificate of coverage to the City prior to being awarded the contract.
- d. If the coverage period shown on the Contractor's current certificate of coverage ends during the duration of the project, the Contractor must, prior to the end of the coverage period, file a new certificate of coverage with the City showing that coverage has been extended.
- e. Contractor shall obtain from each person providing services on a project and provide to City:
- (1) a certificate of coverage, prior to that person beginning work on the project, so the City will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(2) no later than seven (7) days after receipt by the Contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project.

- f. The Contractor shall retain all required certificates of coverage for the duration of the project and for one (1) year thereafter.
- g. The Contractor shall notify the City in writing by certified mail or personal delivery, within ten (10) days after the Contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project.
- h. The Contractor shall post on each project site a notice, in the text, form and manner prescribed by the Texas Workers' Compensation Commission, informing all persons providing services on the project that they are required to be covered, and stating how a person may verify coverage and report lack of coverage.
- i. The Contractor shall contractually require each person with whom it contracts to provide services on a project to:

(1) provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all of its employees providing services on the project, for the duration of the project;

(2) provide to the Contractor, prior to that person beginning work on the project, a certificate of coverage showing that coverage is being provided for all employees of the person providing service on the project, for the duration of the project;

(3) provide the Contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(4) obtain from each other person with whom it contracts, and provide to the Contractor:

(a) a certificate of coverage, prior to the other person beginning work on the project; and

(b) a new certificate of coverage showing extension of coverage, prior to the end of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

(5) retain all required certificates of coverage on file for the duration of the project and for one (1) year thereafter;

(6) notify the City in writing by certified mail or personal delivery, within ten (10) days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing service on the project;

(7) contractually require each person with whom it contracts, to perform as required by paragraphs (1) - (7), with the certificates of coverage to be provided to the person for whom they are providing services.

- j. By signing this contract or providing or causing to be provided a certificate of coverage, the Contractor is representing to the City that all employees of the Contractor who will provide services on the project will be covered by workers' compensation coverage for the duration of the project, that the coverage will be based on proper reporting of classification codes and payroll amounts, and that all coverage agreements will be filed with the appropriate insurance carrier or, in the case of a self-insured, with the commission's Division of Self-Insurance Regulation. Providing false or misleading information may subject the Contractor to administrative penalties, criminal penalties, civil penalties, or other civil actions.
- k. The Contractor's failure to comply with any of these provisions is a breach of contract by the Contractor which entitles the City to declare the contract void if the Contractor does not remedy the breach within ten (10) days after receipt of notice of breach from the City.

(End of Document)

Resolution

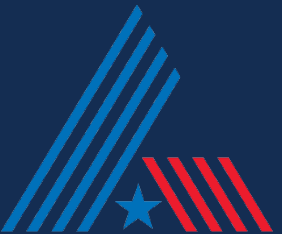


Safety and Security Cameras and Access Controls

- The city standardized on the most cost effective and efficient safety and security camera and door access control system with Sigma Surveillance Inc. in 2020.
- Previous installations include the Departments of Information Technology, Community Services, Health and the Zoo. Facilities included [for this purchase](#) are City Hall, Minter Park, Armory, with additional installations in-progress for Everman Park, Everman Park Tunnels, and City Hall.
- Purchases are through the Texas Buyboard Purchasing Cooperative with government pricing and include a ten (10) year warranty on cameras with five (5) year licenses, wiring, and installation.
- The work orders for Council approval the Convention Center (\$58,230.94), Citylink (\$82,234.60), Police Impound Lot (\$105,696.53), Water Facilities Access Controls (\$28,711.95), Water Facilities Cameras (\$24,827.92) for a total of \$299,701.94, including all wiring and installation services.



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: 6. Resolution: Receive a Report, Hold a Discussion and Take Action on a Resolution of the City Council of the City of Abilene, Texas, Supporting and Confirming No Objection to Housing Tax Credit Application for Villages at Westlake Apartments LP *(Tim Littlejohn)*

GENERAL INFORMATION

Villages at Westlake Apartments, LP is requesting a resolution of No objection from City Council for housing tax credits through the Texas Department of Housing and Community Development for proposed redevelopment and renovation of the property. The existing property has 220 units and is located at 3033 West Lake Road.

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the resolution

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Villages at Westlake Apartments Resolution-NO OBJECTION
2. Westlake Apartments presentation

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
SUPPORTING AND CONFIRMING NO OBJECTION TO HOUSING TAX CREDIT
APPLICATION FOR VILLAGES AT WESTLAKE APARTMENTS LP**

WHEREAS, Villages at Westlake Apartments, LP has proposed the rehabilitation of a 220 unit development for affordable rental housing know as Villages at Westlake located at 3033 West Lake Road in the City of Abilene, County of Taylor Texas; and

WHEREAS, the Villages at Westlake Apartments LP will submit an application to the Texas Department of Housing and Community Affairs for 2022 Housing Tax Credits for Villages at Westlake; and

WHEREAS, the proposed redevelopment and renovation of the property will be funded through a combination of low-income housing tax credits and tax exempt bonds; and

WHEREAS, upon completion of the renovation, the apartments will be available to rent to low income households earning 60% or below of Area Median Income subject to any additional restrictions under the Housing Assistance Payment (HAP) contract administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, pursuant to Section 11.204(4) of the Qualified Allocation Plan and Chapter 2306 of the Texas Government Code, the City of Abilene desires to provide a Resolution of No Objection to the Applicant for the 4% Non-Competitive Housing Tax Credit (HTC) application for Villages at Westlake Apartments located at 3033 West Lake Road, Abilene, Texas,

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

PART 1: That the City of Abilene, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA's 2022 4% Non-Competitive HTC for the proposed renovation and redevelopment of the Villages at Westlake Apartments located at 3033 West Lake Road, Abilene, Texas, for a 220 unit apartment development and that this formal action has been taken to put on record the opinion expressed by the City of Abilene on December 17th, 2021.

PART 2: That in accordance with the requirements of the Texas Government Code §2306.67071 and Texas Administrative Code §11.204(4), it is hereby found that:

- (a) Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- (b) The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed renovation and redevelopment of the property for the proposed use; and

- (c) The Governing Body has held a hearing at which public comment may be made on the proposed renovation and redevelopment project in accordance with Texas Government Code §2306.67071(b) and Texas Administrative Code §11.204(4)(B); and
- (d) After due consideration of the information provided by the Applicant and after the public hearing on the proposed renovation and redevelopment project, the City of Abilene, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 2022 4% Non-Competitive HTC for the purpose of the renovation and redevelopment of the Villages at Westlake Apartments for the proposed use.

PART 3: That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the City Manager is hereby authorized, empowered and directed to certify these resolutions to the TDHCA.

PART 4: That this Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Abilene, and it is accordingly so resolved.

ADOPTED this 17th day of December, 2021

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

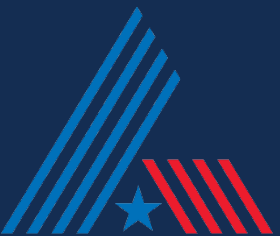
Stanley Smith, City Attorney

Resolution

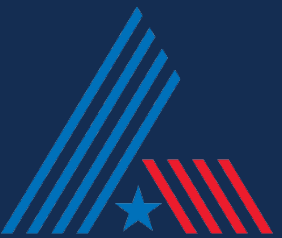


Formal request of no objection:

- Villages at Westlake Apartments LP is proposing the rehabilitation of a 220 unit development for affordable housing located at 3033 West Lake Road.
- Villages at Westlake Apartments will be submitting an application to the Texas Department of Housing and Community Affairs for 2022 Housing Tax Credits.
- When completed, the apartments will be available to rent to low income households earning 60% or below of area median income.



- Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Keith Barton as an Assistant Municipal Court Judge (*Stanley Smith*)

GENERAL INFORMATION

On August 26, 2021, the City Council appointed the Honorable Chace Craig as the Second Municipal Court Judge for the Abilene Municipal Court. The Honorable Keith Barton, Presiding Municipal Court Judge, will retire at the end of 2021.

Pursuant to Section 77, Charter of the City of Abilene, in the event the judge of the municipal court is temporarily unable to act for any reason, the mayor with the approval of the council, shall appoint a qualified attorney to act in his place.

Beginning January 1, 2022, there is a need to appoint an Assistant Municipal Court Judge to act in the place of the Honorable Municipal Court Judge Craig in the event he is temporarily unable to act for any reason. The Honorable Keith Barton has agreed to serve as an Assistant Municipal Court Judge for this purpose.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the appointment of Keith Barton as an Assistant Municipal Court Judge of the Abilene Municipal Court.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 2021 RESOLUTION Assistant Municipal Court Judge
2. Appoint Assistant Municipal Court Judge

RESOLUTION _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
APPOINTING THE HONORABLE KEITH BARTON AS AN ASSISTANT MUNICIPAL
COURT JUDGE TO ACT IN THE TEMPORARY ABSENCE OR UNAVAILABILITY OF
THE JUDGE OF THE MUNICIPAL COURT**

WHEREAS, there are occasions when the Judge of the Municipal Court is temporarily unable to serve; and

WHEREAS, Section 77, Charter of the City of Abilene, provides for the appointment of Assistant Municipal Court Judges to act in the place of the Judge of the Municipal Court when the Judge of the Municipal Court is temporarily unable to act for any reason; and

WHEREAS, the Honorable Keith Barton, who will retire as the Presiding Judge of the Abilene Municipal Court at the end of 2021, is a qualified and competent attorney, and has agreed to serve in the temporary absence of the Judge of the Municipal Court; and

WHEREAS, the Honorable Keith Barton, having the same qualifications as the Judge of the Municipal Court, is recommended for appointment as an Assistant Municipal Judge, in accordance with the City Charter of the City of Abilene;

**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 hereby approves of the appointment of the Honorable Keith Barton as an Assistant Municipal Court Judge and hereby authorizes the Mayor to appoint him for a term of two (2) years beginning January 1, 2022 and continuing through December 31, 2023.

PART 2: That the Honorable Keith Barton shall be paid only for the actual time that he shall serve as Assistant Municipal Court Judge.

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 17th day of December, 2021.

ATTEST:

City Secretary

Mayor

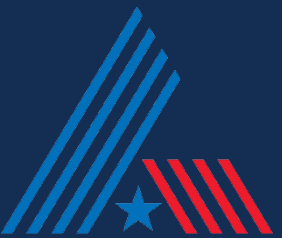
APPROVED:

City Attorney

APPOINTMENT OF THE HONORABLE KEITH BARTON AS AN ASSISTANT MUNICIPAL COURT JUDGE



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: 8. Ordinance (First Reading) CUP-2021-02: Receive a Report, Hold a Discussion and Take Action on a Request from Thomas Paul Anthony (Represented by Enprotec/Hibbs & Todd, Engineering Consultants) for Approval of a Conditional Use Permit Allowing a Vacation Travel Trailer/Recreational Vehicle Park on 60.01 Acres Bordering the 2600-2700 Blocks (West Side) of West Lake Road in North Central Abilene. (Tim Littlejohn)

GENERAL INFORMATION

Add a Conditional Use Permit (CUP) to approximately 59.36 acres of vacant property zoned Agricultural Open (AO).

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 7-0.

ATTACHMENTS:

1. CUP-2021-02 Council Ordinance
2. CUP-2021-02 Council Staff Report
3. CUP-2021-02 Council Presentation

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) AFFECTING CERTAIN PROPERTY; 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 approving a Conditional Use Permit (CUP) 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 17th day of December, 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 11th day of December, 2021, the same being more than fifteen (15) days prior to a public hearing held at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 13th day of January, 2022, 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 13th day of January, 2022.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Conditional Use Permit (CUP) to allow Vacation Travel Trailer Park on the following described property in an Agricultural Open (AO) zoning district:

BEING 60.1 acres of land out of a 64.263-acre tract recorded in Document No. 2008-11790, Official Public Records, Taylor County, Texas, out of a 112-acre tract of land recorded in Volume 515, Page 80, Deed Records, Taylor County, Texas out of Block Nos. 7,8,20, and 21, North Park Addition to the City of Abilene, Taylor County, Texas as shown by plat recorded in Plat Cabinet 2, Slide 137-C, Plat Records, Taylor County, Texas. Said 60.1 acre tract contains a portion of Plum Street and Lowden Street both being abandoned per Volume 402, Page 180, Deed Records, Taylor County, Texas. Said 60.1 acres being more particularly described as follows.

BEGINNING at a found ½” metal rebar on the East line of said Block 8, the East line of said 112-acre tract and the West line of West Phantom Hill Road (60’ right-of-way) at the Northeast corner of a 20.00-acre tract recorded in Volume 3162, Page 469, Official Public Records, Taylor County, Texas for the Southeast corner of this tract, whence a found ½” metal rebar, at an old 8” cedar post, for the Southeast corner of a 10.00-acre tract recorded in Volume 2546, Page 952, Official Public Records, Taylor County, Texas bears S 00°16’ 19” W 1073.66’. Said post called to be the Southeast corner of said 112-acre tract and the Southeast corner of Lot 4 of said block 7;

THENCE N 89°31’03” W 1268.00’ to a found ½” metal rebar on the West line of said Block 8 at the Northwest corner of said 20.00-acre tract for the South most Southwest corner of this tract;

THENCE N 00°15’49” E 855.18’ to a set ½” metal rebar for an interior corner of this tract;

THENCE S 89°58’06” W 36.05’ to a point in tank whence the center of a 6” cedar fence corner post bears S 89°58’06” W 79.61’. Said point being the Southwest corner of a 21.624-acre tract surveyed this same day for the North most Southwest corner of this tract;

THENCE N 00°39’15” W 1145.82’ to a found 3/8” metal rebar at the Southwest corner of Lot 101, Replat of part of Lot 1, Block 21, North Park Addition, recorded in Plat Cabinet 1, Slide 521, Plat Records, Taylor County, Texas for the South most Northwest corner of this tract, whence a found 3/8” metal rebar at the Northwest corner of said Lot 101 bears N 00°39’15” W 568.50’;

THENCE S 89°33’49” E 382.92’ to a found 3/8” metal rebar at the Southeast corner of a 5.0-acre tract recorded in Volume 1333, Page 575, Deed Records, Taylor County, Texas for an interior corner of this tract;

THENCE N 00°40’10” W 122.94’ to a point on the east line of said 5.0 acre tract for a corner of this tract, where a found 3/8” metal rebar at the northeast corner of said 5.0 acre tract bears 445.62’ N 00°40’10” W;

THENCE N 89°33’39” E, at a distance of 279.14’ passing a found ½” metal rebar at the southwest corner of a 7.521-acre tract recorded in Volume 1188, Page 115, Deed Records, Taylor County, Texas, continuing for a total distance of 522.37’ to a found ½” metal rebar at an interior corner of the said 7.521-acre tract;

THENCE S 01°31’50” E, at 81.50’ passing found ½” metal rebar at a corner of said 64.263-acre tract, continuing for a total distance of 209.12 feet to a point for a corner of this tract;

THENCE N 89°43'30" E 412.60' to a point on the West line of said West Phantom Hill Road and the East line of Lot 4, Block 21 of said North Park Addition for the Northeast corner of this tract, where a found 5/8" metal rebar at the Southeast corner of said 7.521-acre tract and the Northeast corner of said 112-acre tract bears 127.59' N 00° 15'49" E;

THENCE S 00°15'49" W (bearing basis per said Volume 3162, Page 469) with the West line of said West Phantom Hill Road, the East line of said 112-acre tract and the East line of said Blocks 21 and 8, 1920.54' to the Point of Beginning and containing 60.1 acres of land.



ZONING CASE CUP-2021-02

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: December 7, 2021

City Council 1st Reading: December 17, 2021

City Council 2nd Reading: January 13, 2022

Applicant

Owner: Thomas Paul Anthony

Agent: Enprotec Hibbs and Todd, LLC

Request

Add a Conditional Use Permit (CUP) to approximately 59.36 acres of vacant property zoned Agricultural Open (AO).

Location

2600-2700 blocks (west side) of West Lake Road in north central Abilene. Legal description being 59.36 acres out of Block Nos. 7, 8, 20, and 21 (as well as intervening and the adjacent abandoned segments of Plum and Lowden Streets) in North Park Addition to Abilene, Taylor County, Texas.

Background

This subject property was annexed into the City Limits of Abilene in 1957. The subject property has been zoned Agricultural Open (AO) zoning since at least 1974. This property was vacant up until 2009 at which time permits were issued for the agricultural buildings which currently reside on the property.

According to information provided within the application, the owner wishes to establish a Vacation Travel Trailer/Recreational Vehicle Park on this subject property. According to the Land Use Matrix located in Section 2.4.2.1 of the City of Abilene's Land Development Code; vacation travel trailer/recreational vehicle parks are only permitted in Agricultural Open (AO) zoning with the approval of a Conditional Use Permit.

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 to the north consists of Agricultural Open (AO) and Heavy Industrial (HI) zoning, within these districts are single-family residences. West of the subject property is Light Industrial (LI) and Agricultural Open (AO) zoning districts that are presently vacant. South and east of the subject property are Agricultural Open (AO) zoning districts that are currently vacant.

Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval, of the Land Development Code. These factors are identified and addressed below:

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.

The Future Land Use and Development Plan Map identifies this area as low-density residential. The proposed use of this site will function much like a residential land use; however, it will house temporary residences and visitors to the City of Abilene. The planned use of this property will achieve the goal of the Comprehensive Plan for infill development by promoting the use of a large tract of vacant land that is predominately inundated by the floodway and therefore presents challenges to development.

It is the opinion of the staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan as well as the Future Land Use and Development Plan Map.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations

No, Agricultural Open (AO) zoning and applicable regulations are designed to preserve valuable agricultural land and to preserve open space. However, Agricultural Open zoning is also utilized as a “holding zone” for land that is annexed into the City of Abilene until a request for a more intense zoning classification or conditional use is sought after. The purpose of a Conditional Use Permit is to allow the establishment of uses that may be suitable only in certain locations in a zoning district or only when subject to standards and conditions that assure compatibility with adjoining uses. The extensive floodplains and floodways in this vicinity present a development challenge to the subject property and limit the development potential of surrounding properties. Taking this into consideration, the planned use of a vacation travel trailer/RV park is desirable given the temporary nature of the recreational vehicles that will be placed at this location.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

It is the opinion of the staff that the proposed use is appropriate in the immediate area of the land to be reclassified. The area is predominately undeveloped and will likely remain undeveloped due to the extensive amount of floodways in the immediate area.

It is the opinion of the staff that the proposed use of this site will not create adverse impacts regarding traffic, noise, or odors.

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Yes, the proposed use will not generate pedestrian and vehicular traffic that will be hazardous or conflict with existing and anticipated traffic. West Lake Road is a major arterial road. Roadways such as this are designed to carry large volumes of traffic and built to a standard that can withstand heavy vehicle traffic.

- 5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.**

The development of this site will require an official Site Plan review by the City of Abilene's Development Review Committee. Prior to the approval of this site plan, the owner of the property will be required to formally plat the property. Prior to the subdivision plat being approved public improvements will be required. Said public improvements are to include but not be limited to the expansion in the width of the street pavement for West Lake Road.

- 6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**

There are no plans to incorporate features to minimize adverse effects, including visual impacts that the proposed use may have on adjacent properties. However, due to the substantial amount of floodways in the immediate vicinity, the majority of the surrounding properties are vacant and will likely remain so for the foreseeable future. The two residences located immediately north of the subject property are north of an existing drainage channel; along this drainage channel is significant vegetation that may serve as a natural land use buffer.

- 7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.**

Yes, the variations from the standards for the zoning district will promote a form of residential land use on a property that is otherwise unfit for much else due to the existing flood plains and floodways that intersect the subject property.

Staff Recommendation

Staff recommends approval.

Notification

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

TABLE 1

Owner	Parcel ID	Situs	Response
BASHFORD DAVID H	32365	789 ANSON AV	
BASHFORD DAVID H	32363	749 ANSON AV	
CRYSTAL CITY RAILROAD INC	31725	801 ANSON AV	
FULLERTON GAYLA	976212	2826 W LAKE RD	
FULLERTON GAYLA	41835	2749 W LAKE RD	
FULLERTON GAYLA D	981929	601 ANSON AV	
GOGGANS & SONS INC	53114		
GOODIN MARION J JR	42213	2801 W LAKE RD	
HERMANN RUTH	68541	104 E AMBLER AV	OPPOSED
JOHNSON WILLIAM	41969	2701 W LAKE RD	FAVOR
PELTON ROBERT	65541		
STEPHENS PEGGY CAROLYN	32236	349 ANSON AV	
THOMAS PAUL ANTHONY	64271	2648X W LAKE RD	
THOMAS PAUL ANTHONY	106790	2502 W LAKE RD	

Attachments

Application

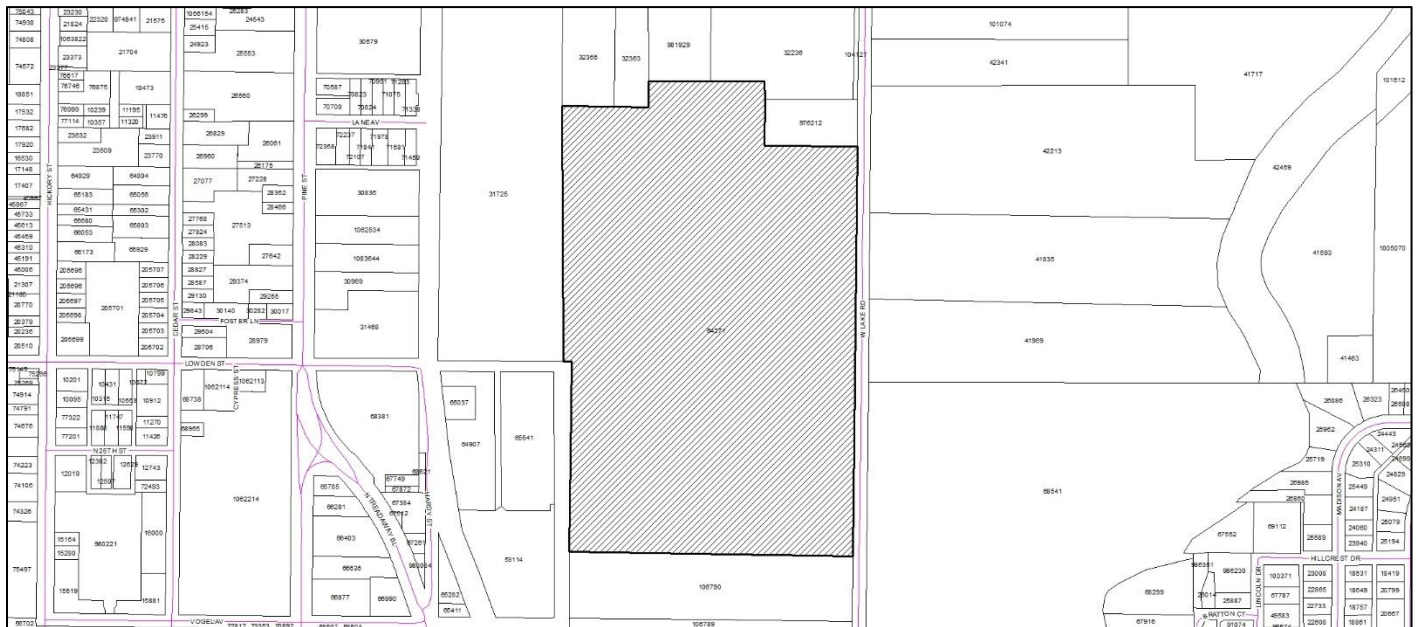
Draft Site Exhibit

PowerPoint Presentation

ZONING MAP



LOCATION MAP





Development Application

Planning

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

Project Name: Grapevine Farms RV Park
Address: West Lake Road No. of lots: 1 Acreage: 59.4
Legal Description: Lot 1 Block 8 North Park Addition
Subdivision Name: _____ Block: _____ Lot: _____
Current Zoning: AO Proposed Zoning (if applicable): Conditional use to allow RV Park

OWNER AND AUTHORIZATION

Owner Name: Thomas Paul Anthony
Address: 601 Anson Ave
City, State, Zip: Abilene, Tex 79601 Fax: _____
Phone: 665-7810 Email: paul@customprivateequity.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) EAT will act as my agent before the Planning and Zoning Commission.

Agent Name: EAT
Address: 402 Cedar
City, State, Zip: Abilene, Tex 79601 Fax: _____
Phone: 698-5560 Email: david.todd@e-lit.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: Paul V. Shoro Date: 11-3-21

FOR OFFICE USE ONLY

Received: 10/26/21 Fee: \$ 1500.00 Receipt No.: 0001065553
Case No.: CUP-2021-02 Reviewed By: [Signature]

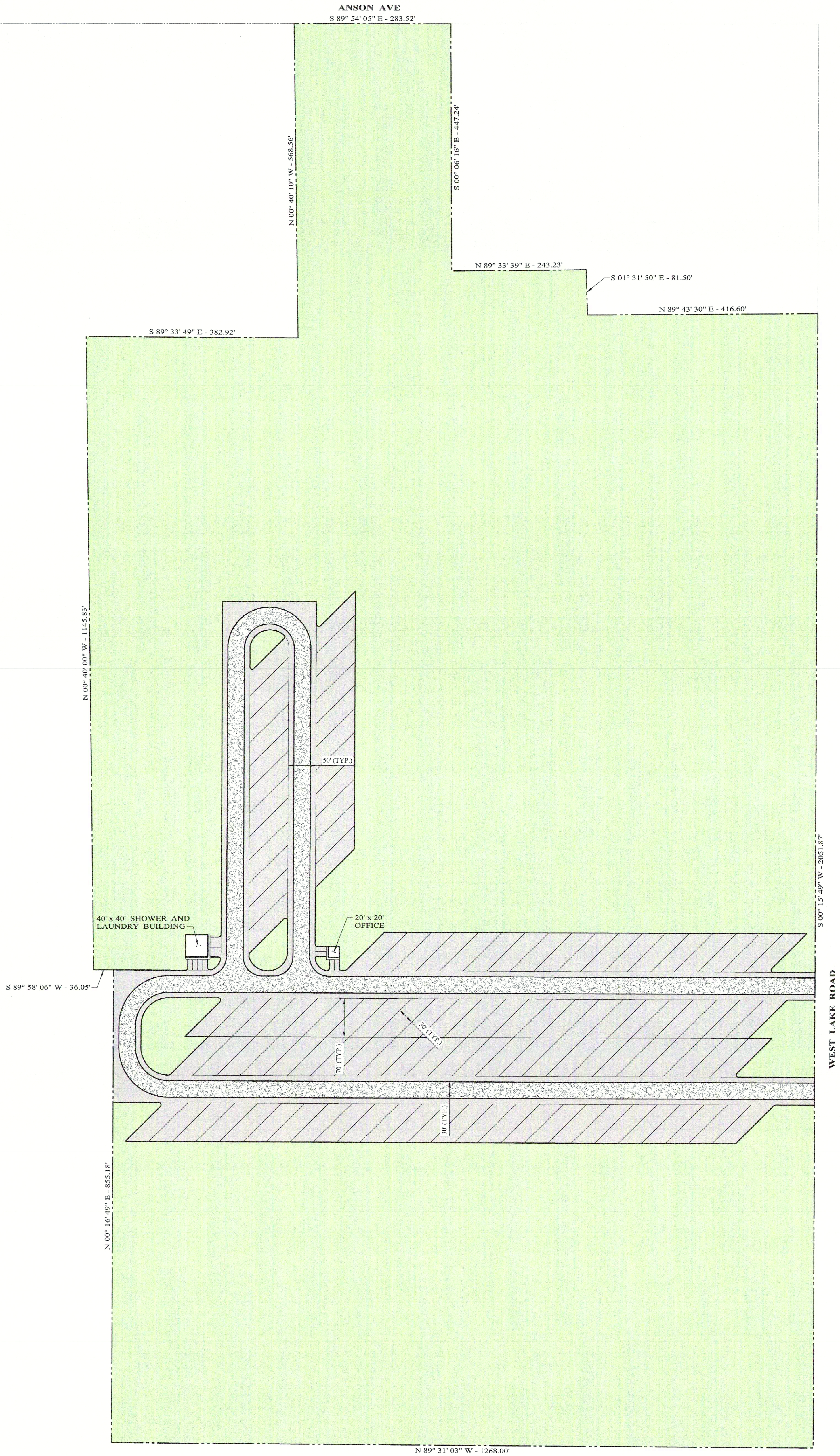
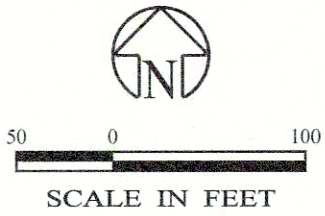


Development Application

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

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

1. Allow an RV park in an AO
zone





Enprotec | Hibbs & Todd
402 Cedar Street • Abilene, Texas 79601 • T: (325) 698-5560 • F: (325) 690-3240 • www.e-h-t.com
PE Firm Registration No. 1151 • PG Firm Registration No. 50103 • RPLS Firm Registration No. 10011900

**CONCEPTUAL SITE PLAN
FOR
GRAPEVINE FARMS RV PARK
ABILENE, TAYLOR COUNTY, TEXAS**

8081
PROJECT NO.
10/27/2021
DATE
J.D.T.
DESIGNED BY:
D.B.H.
DRAWN BY:
J.D.T.
CHECKED BY:
1 OF 1

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

CASE #: CUP-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: JOHNSON WILLIAM

Parcel I.D.: 41969

Address: 2701 W LAKE RD

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

*Hope it passes.
Abilene needs this.*

Signature: 

NOV 29 PM 3:53

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HERMANN RUTH
1836 WHITE MINES RD
ABILENE, TX 79603-8912

NOTICE OF PUBLIC HEARING

RE: ZONE CHANGE REQUEST NUMBER CUP-2021-02

11/22/2021

The Planning and Zoning Commission will hold a public hearing on **December 7, 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 Thomas Paul Anthony (represented by Enprotec/Hibbs & Todd, Engineering Consultants) for approval of a Conditional Use Permit allowing a vacation travel trailer/recreational vehicle park on 60.01 acres bordering the 2600-2700 blocks (west side) of West Lake Road in north central Abilene. Legal description being 60.01 acres out of Block Nos. 7, 8 20 and 21 (as well as intervening and adjacent abandoned segments of Plum and Lowden Streets) in the North Park Addition to Abilene, Taylor County, Texas.

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 the Conditional Use Permit request. 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 **January 13, 2022 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 at telephone 325-676-6490 or by email address planning@abilenetx.gov

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

CASE #: CUP-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: HERMANN RUTH
Parcel I.D.: 68541
Address: 104 E AMBLER AV

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 ☒

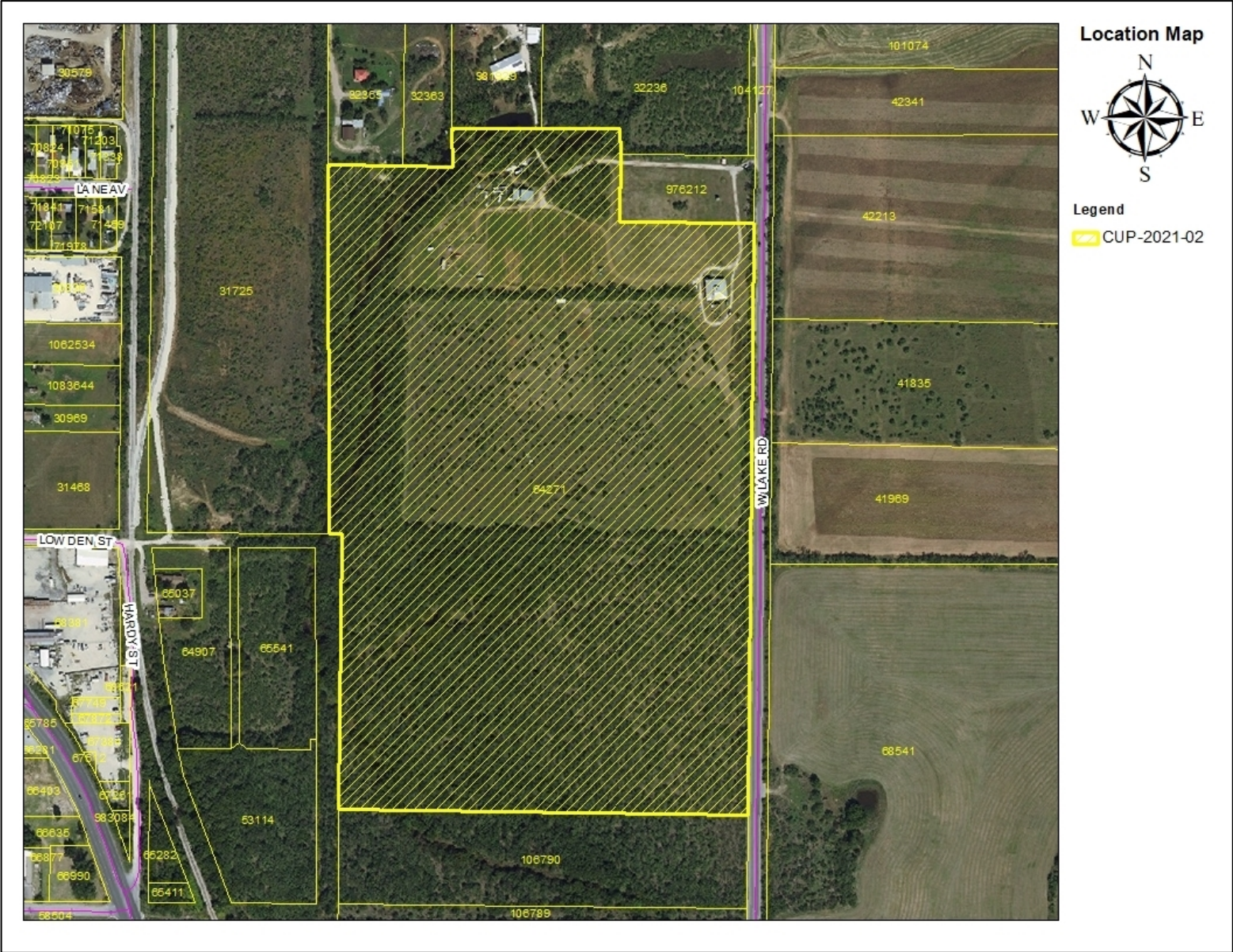
Signature:

Janis Langley POA

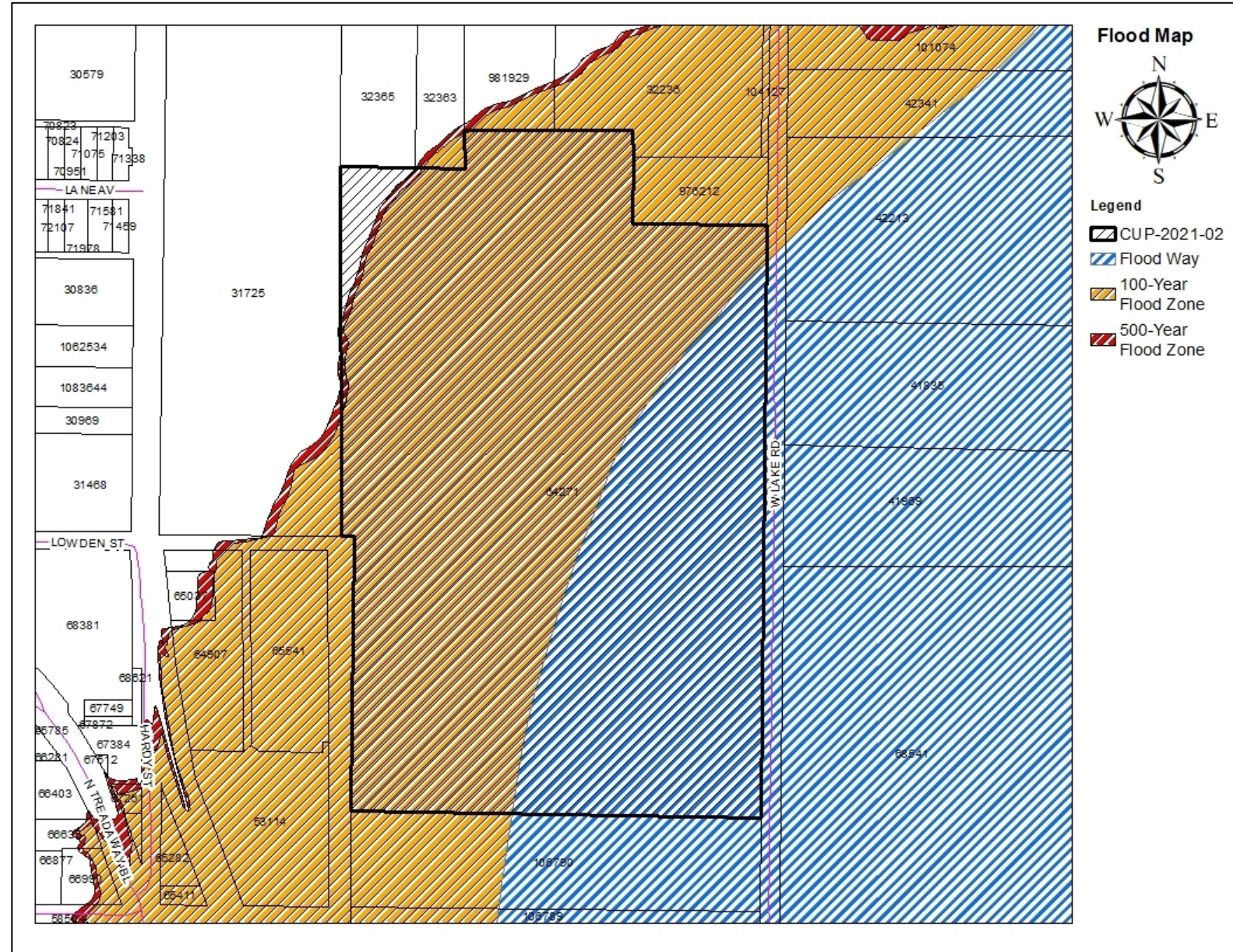
555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

Case:	CUP-2021-02
Owner:	Thomas Paul Anthony
Agent:	Enprotec Hibbs and Todd, LLC
Request:	Conditional Use Permit to allow a Vacation Travel Trailer/RV park on 59.36 acres of vacant property zoned Agricultural Open (AO)
Location:	2600-2700 blocks (west side) West Lake Road
Notification:	1 in Favor, 1 Opposed
Planning & Zoning:	Approval, December 7, 2021







Permitted Uses in AO Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

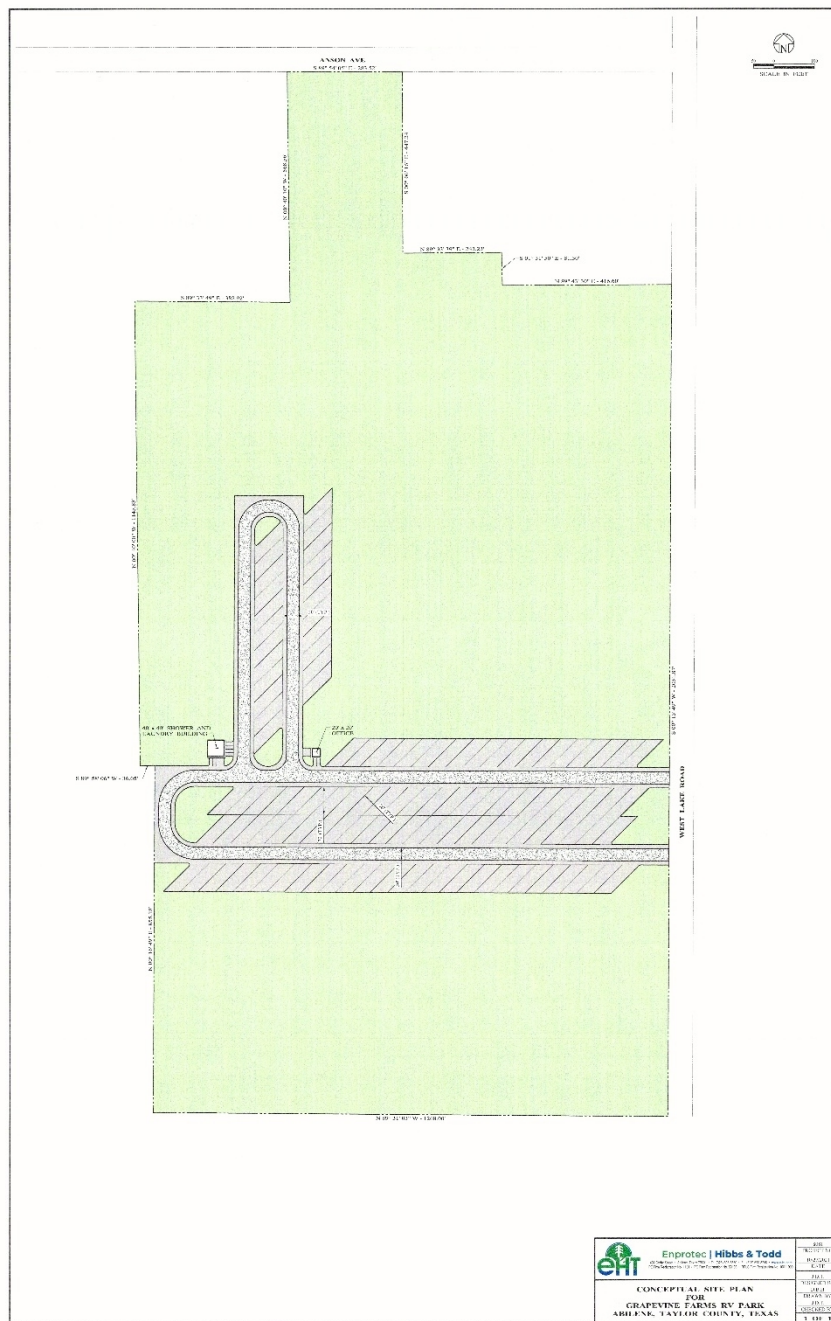
RESOURCE PRODUCTION AND EXTRACTION USES:

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

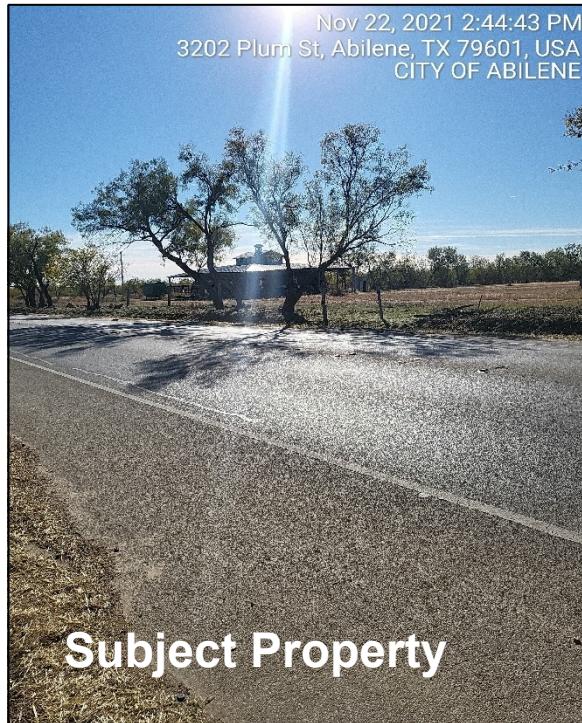
LEGEND

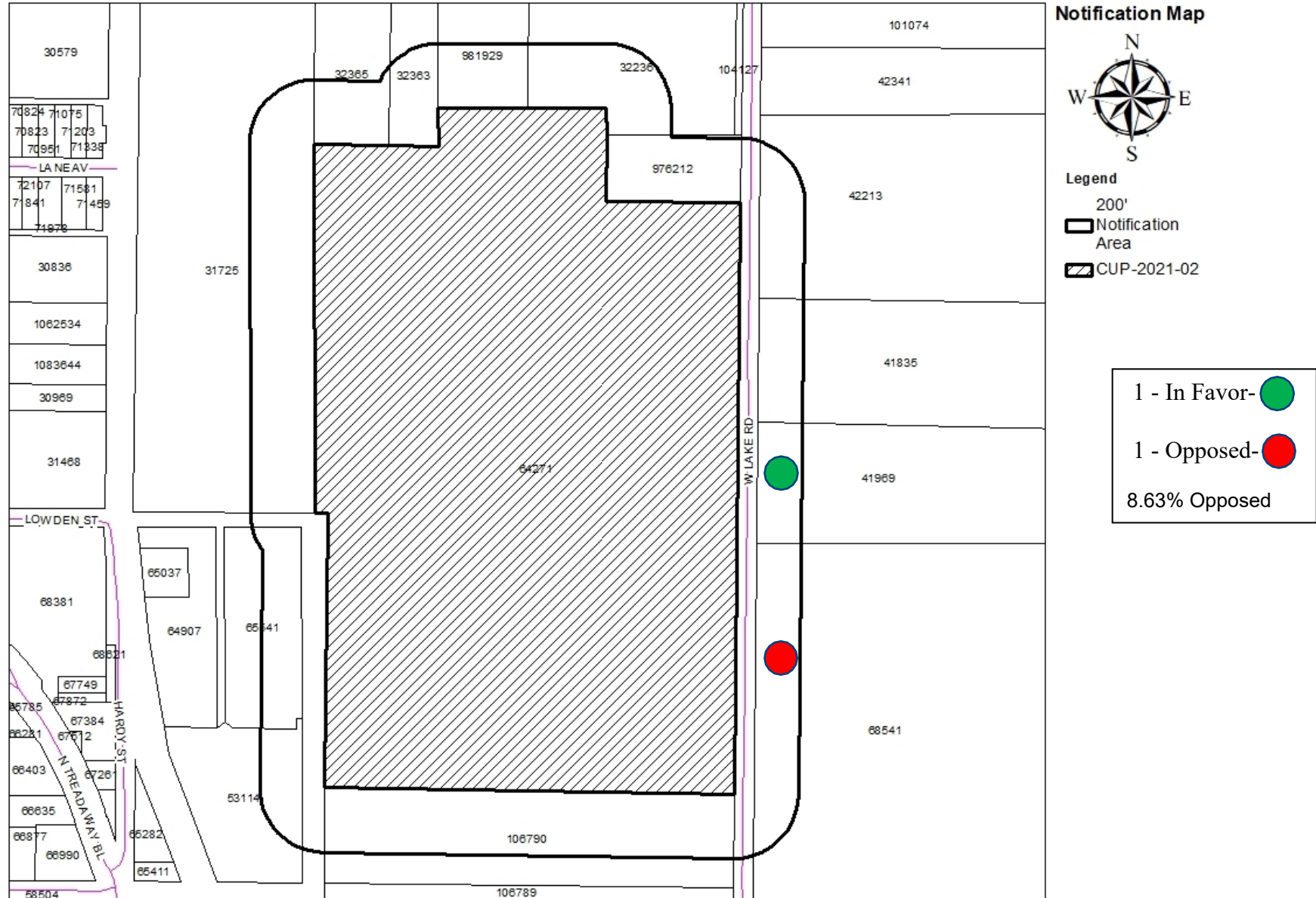
P
C
TP

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



CUP-2021-02 VIEWS OF SUBJECT & ADJACENT PROPERTIES





- Consistent with the *Comprehensive Plan* and *Future Land Use and Development Plan Map*
- Reviewed Pursuant to Section 1.4.3.5 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval
- Planning & Zoning Recommendation: Approval

Questions?



**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: 9. Ordinance (First Reading) Z-2021-37: Receive a Report, Hold a Discussion and Take Action on A Request From Abilene Forrest Hill LLC (Represented By Jacob & Martin, Civil Engineering) To Change Zoning On Approximately 10.6 Acres Of Now-Vacant Land From Residential Single-Family (RS-6) To A Residential Medium-Density (MD) District, And To Change Zoning On Approximately 22 Acres Of Now-Vacant Land From Residential Single-Family (RS-8) To A Residential Single-Family (Rs-6) District, All Approximately 32.6 Acres Of Which Are Located Approximately 1000 Feet East From The 6900 Block Of Old Forrest Hill Road And 1200-2200 Feet West From The 7100 Block Of Hardwick Road In South Abilene. (Tim Littlejohn)

GENERAL INFORMATION

Rezone from Residential Single-Family (RS-6) District to Medium-Density (MD) District and Residential Single-Family (RS-8) District to a Residential Single-Family (RS-6) 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 7-0.

ATTACHMENTS:

1. Z-2021-37 Council Ordinance
2. Z-2021-37 Council Staff Report
3. Z-2021-37 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 17th day of December, 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 11th day of December, 2021, the same being more than fifteen (15) days prior to a public hearing held at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 13th day of January, 2022, 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 13th day of January, 2022.

ATTEST:

CITY SECRETARY

MAYOR
APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning classification of TRACT 1, from a Residential Single-Family (RS-6) District to a Medium-Density (MD) District

The Legal Description of Tract 1 being:

BEING a 10.470-acre tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision as shown per plat recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said 10.470-acre tract also being out of the remainder of that certain 63.95-acre tract described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said 10.470-acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the north corner of this described tract, and being at the northeast corner of Lot 4, Block C, Forrest Meadows Addition, Section 1, as shown per plat recorded in Cabinet 4, Slide 584 of said Plat Records;

THENCE South 53°46'44" East, 816.40 feet to a point for the northeast corner of this tract;

THENCE South 19°39'03" West, 188.89 feet to a point for an interior corner of this tract;

THENCE South 00°48'13" West, 81.39 feet to a point for the southeast corner of this tract;

THENCE North 89°11'47" West, at 386.00 feet, pass a point at the intersection of the most southerly east line of said Forrest Meadows Addition, Section 1, with the centerline of Tin Cup (60' wide right-of-way) as shown per plat of said Forrest Meadows Addition, Section 1, and continuing along the centerline of said Tin Cup, for a total distance of 837.50 feet to a point for the southwest corner of this tract;

THENCE North 00°48'13" East, at 30.00 feet, pass a point in the north right-of-way line of said Tin Cup, and being at the southeast corner of Lot 14, Block C of said Forrest Meadows Addition, Section 1, and continuing along the easterly line of said Forrest Meadows Addition, Section 1, for a total distance of 172.00 feet to a point for an interior corner of this tract, same being a corner in the easterly line of said Forrest Meadows Addition, Section 1;

THENCE along the westerly line of this tract, same being the easterly line of said Forrest Meadows Addition, Section 1, the following bearings and distances:

- North 01°15'04" East, 64.00 feet to a point for an interior corner of this tract;
- North 05°16'14" East, 64.20 feet to a point for an interior corner of this tract;
- North 07°02'44" East, 64.38 feet to a point for an interior corner of this tract;
- North 08°56'01" East, 63.64 feet to a point for an interior corner of this tract;
- North 11°35'16" East, 64.13 feet to a point for an interior corner of this tract;
- North 14°11'46" East, 64.76 feet to a point for corner of this tract;
- North 68°35'57" East, 55.00 feet to a point for an interior corner of this tract;
- North 44°05'53" East, 121.02 feet to a point for an interior corner of this tract;
- North 36°13'16" East, 87.62 feet to the POINT OF BEGINNING and containing 10.470 acres of land, more or less.

Change the zoning classification of the following TRACT 2, from a Residential Single-Family (RS-8) District to a Residential Single-Family (RS-6) District.

The Legal Description of Tract 2 being:

BEING a **21.124-acre** tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision as shown per plat recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said **21.124-acre** tract also being out of the remainder of that certain 63.95-acre tract described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said **21.124-acre** tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northwest corner of this described tract and being in the north line of Forrest Meadows Addition, Section 1, as shown per plat recorded in Cabinet 4, Slide 584 of said Plat Records, from which the northwest corner of said 63.95-acre tract, same being the northwest corner of said Forrest Meadows Addition, Section 1, bears South 89°55'51" West, a distance of 1175.05 feet;

THENCE North 89°55'51" East along the north line of this tract and said 63.95 acre tract, and along the north line of said Forrest Meadows Addition, Section 1, at a distance of 6.81 feet, pass a point at the most easterly northeast corner of said Forrest Meadows Addition, Section 1, and continuing along the north line of this tract and the remainder of said 63.95 acre tract, for a **total distance of 620.59 feet** to a slight angle point corner of this tract and of the remainder of said 63.95 acre tract;

THENCE South 88°41'51" East, and continuing along the north line of this tract and the remainder of said 63.95-acre tract, a distance of 1243.91 feet to a point for the northeast corner of this tract, same being the northeast corner of the remainder of said 63.95-acre tract;

THENCE South 27°23'10" West along the southeast line of this tract and the remainder of said 63.95-acre tract, a distance of 1092.30 feet to a point for the south corner of this tract, from which the southeast corner of the remainder of said 63.95-acre tract bears South 27°23'10" West a distance of 37.24 feet;

THENCE North 53°46'44" West along the southwest line of this tract, and over and across the remainder of said 63.95 acre tract, at a distance of 1466.66 feet, pass a point at the northeast corner of Lot 4, Block C of said Forrest Meadows Addition, Section 1, and continuing along the northeast line of said Forrest Meadows Addition, Section 1, at a distance of 1679.49 feet, pass a point at an interior corner in the easterly line of said Forrest Meadows Addition, Section 1, and continuing along the southwest line of this described tract, for a **total distance of 1687.94 feet** to the **POINT OF BEGINNING** and containing **21.124 acres** of land, more or less;

Page 135 of 302

ZONING CASE Z-2021-37

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: December 7, 2021

City Council 1st Reading: December 17, 2021

City Council 2nd Reading: January 13, 2022

Applicant

Owner: Abilene Forest Hill LLC

Agent: Jacob & Martin - Civil Engineering

Request

Rezone from Residential Single-Family (RS-6) District to Medium-Density (MD) District and Residential Single-Family (RS-8) District to a Residential Single-Family (RS-6) District

Location

1000 feet east from the 6900 block of Old Forrest Hill Road and 1200-2200 feet west from the 7100 block of Hardwick Road in south Abilene.

Background

In 1980, these two tracts of land, including others tracts of land along Buffalo Gap Road, were annexed into Abilene City Limits and given a base zoning of Agricultural Open Space (AO) District (53-1980). In 1997, these two tracts were rezoned to Residential Single-Family (RS-8) District and Old Forrest Hill Road was renamed to Forrest Hill Road (08-1997). In 2019, 35.408 acres were rezoned from RS-8 to RS-6 District (26-2019). Section 1 of Forrest Meadows Addition was formally platted in March of 2021 (FP-1421). The applicants are now requesting to continue the development of these vacant tracts of land.

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 identifies this area as mixture of single-family and multi-family land uses. 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

(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.

It is the opinion of the staff that this application is in accord with existing plans for public services and any public improvements will be addressed during the platting process.

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

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

Staff Recommendation

City staff recommends approval of the request. The rezoning request was reviewed pursuant to Section 1.4.1.4 (Criteria for Approval) of the Land Development Code.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on November 26 of 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	Situs	Response
ABILENE FORREST HILL LLC	1063981	7117 TIN CUP	FAVOR
ABILENE FORREST HILL LLC	1063980	7125 TIN CUP	
ABILENE FORREST HILL LLC	1063980	7127 TIN CUP	FAVOR
ABILENE FORREST HILL LLC	1063979	7133 TIN CUP	FAVOR
ABILENE FORREST HILL LLC	1063978	7141 TIN CUP	FAVOR
ABILENE FORREST HILL LLC	1063978	7143 TIN CUP	
ABILENE FORREST HILL LLC	1063977	7149 TIN CUP	FAVOR
ABILENE FORREST HILL LLC	1063913	7150 PHOENIX DR	FAVOR
ABILENE FORREST HILL LLC	1063931	7149 PHOENIX DR	FAVOR
ABILENE FORREST HILL LLC	1063932	3601 YAMINI DR	FAVOR
ABILENE FORREST HILL LLC	1063953	3606 YAMINI DR	
ABILENE FORREST HILL LLC	1063968	3517 HARI TEXAN CT	FAVOR
ABILENE FORREST HILL LLC	1063963	3518 HARI TEXAN CT	FAVOR
ABILENE FORREST HILL LLC	1063964	3510 HARI TEXAN CT	
ABILENE FORREST HILL LLC	10258		FAVOR
ABILENE FORREST HILL LLC	1063976	7025 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063975	7017 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063974	7009 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063973	7001 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063972	6947 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063971	6939 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063970	6931 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063969	6923 FORREST MEADOWS DR	FAVOR
ABILENE FORREST HILL LLC	1063967	3509 HARI TEXAN CT	FAVOR
ABILENE FORREST HILL LLC	1063966	3501 HARI TEXAN CT	FAVOR
ABILENE FORREST HILL LLC	1063965	3502 HARI TEXAN CT	FAVOR
ABILENE FORREST HILL LLC	1063982	7109 TIN CUP	FAVOR
BYRD MIKE	23442		
BYRD MIKE	101424	7128 HARDWICK RD	
BYRD MIKE	23697	6328 HARDWICK RD	
BYRD MIKE	23299		
BYRD MIKE	23569		
BYRD MIKE	32416	6542 FAIRWAY OAKS BL	
CROWN MONEY LLC	10149		
MESA RIDGE ESTATES INC	14753		
STOCKARD INVESTMENTS INC	1012813		

Attachments

Application

PowerPoint Presentation

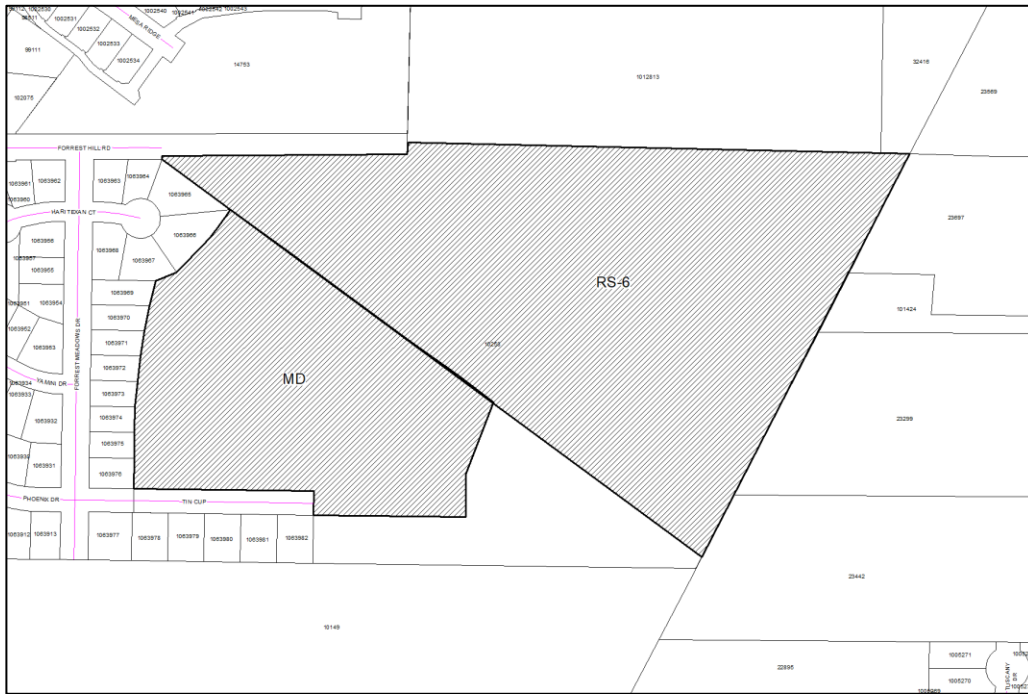
Ordinance NO. 26-2019

Ordinance NO. 8-1997

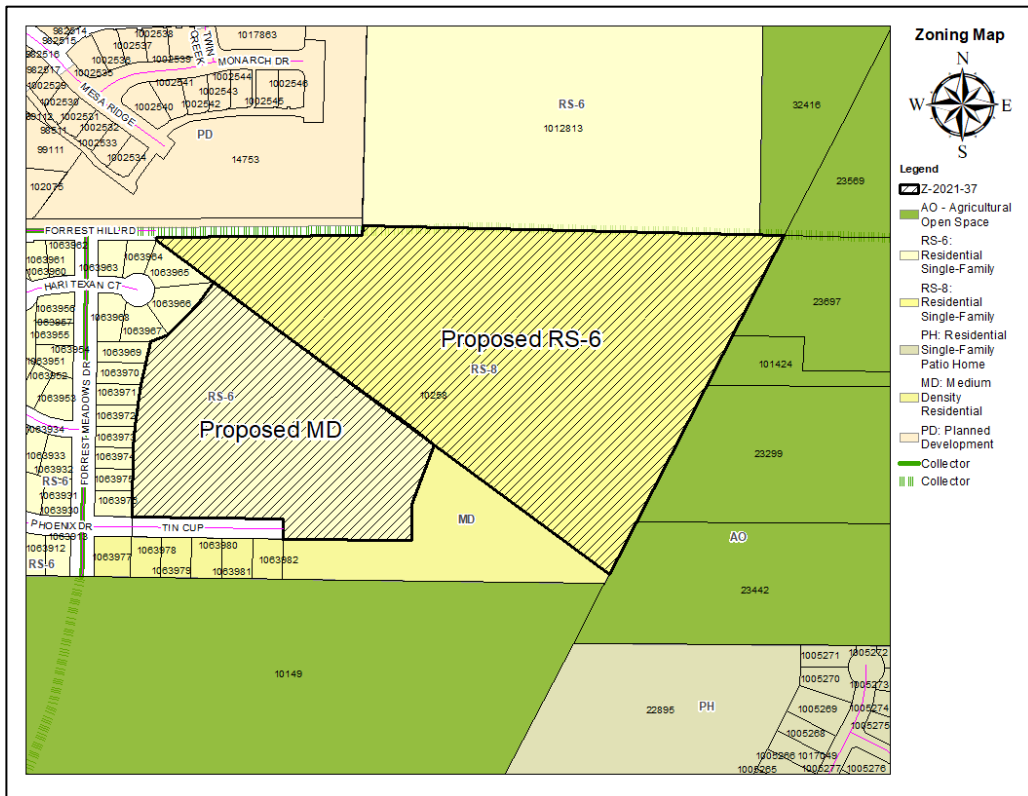
Ordinance NO. 53-1980

FP-1421 (Forrest Meadows Addition, Section 1)

LOCATION MAP



ZONING MAP



PROJECT OVERVIEW

Project Type: Zoning Application | **Project Title:** Rezoning to Combination of RS-6 & MD
ID # 21-000164 | **Started** 11/05/2021 at 9:25 AM



Address

Abilene, TX USA 79606

Legal

A1366 T C Garner Blk
Tract E Pa Lot Acres 45.3
A1366 T C Garner, Tract
E Part 1 & 2, Acres 63.95

Property Info

Property ID: 10258

Description

Rezoning of RS-6 land to MD, and rezoning of adjacent RS-8 land to RS-6

INFORMATION FIELDS

Owner Name

Abilene Forrest Hill, LLC.

Agent Name

Jacob & Martin

Block

-

Lot

-

Acreage

-

Legal Description of property

A1366 T C GARNER, TRACT E PART 1 & 2, ACRES 36.638

Subdivision Name

-

Current Zoning

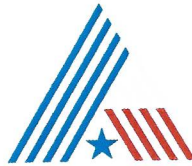
RS-6 & RS-8

Proposed Zoning

MD & RS-6 (respectively)

Agree to Terms

Clayton Farrow 11-5-2021



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

The Planning and Zoning Commission will hold a public hearing on **December 7, 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 Abilene Forrest Hill LLC (represented by Jacob & Martin, Civil Engineering) to change zoning on approximately 10.6 acres of now-vacant land from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District, and to change zoning on approximately 22 acres of now-vacant land from Residential Single-Family (RS-8) to a Residential Single-Family (RS-6) District, all approximately 32.6 acres of which are located approximately 1000 feet east from the 6900 block of Old Forrest Hill Road and 1200-2200 feet west from the 7100 block of Hardwick Road in south Abilene. Legal description being approximately 32.6 acres out of the T.C. Garner Survey in the City of Abilene, Taylor County, Texas

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 zone change request. 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 **January 13, 2022 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Nick Watts at telephone 325-437-4585 or by email address planning@abilenetx.gov

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

CASE #: Z-2021-37

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: ABILENE FORREST HILL LLC
Parcel I.D.: 1063967
Address: 3509 HARI TEXAN CT

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

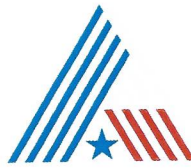
Email: planning@abilenetx.gov

I am in favor ☒
Additional Comments:

I am opposed ☐

Signature: _____

Kalle



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

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If you have any questions, please contact Nick Watts at telephone 325-437-4585 or by email address planning@abilenetx.gov

For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-37

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063969
Address: 6923 FORREST MEADOWS DR

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

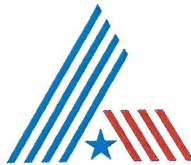
Email: planning@abilenetx.gov

I am in favor ☒
Additional Comments:

I am opposed ☐

Signature: _____

Kell



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063932
Address: 3601 YAMINI DR

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: _____

Kelle

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063931
Address: 7149 PHOENIX DR

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

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063913
Address: 7150 PHOENIX DR

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: Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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11/23/2021

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063980
Address: 7127 TIN CUP

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: Kall



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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11/23/2021

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063979
Address: 7133 TIN CUP

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: _____

Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063978
Address: 7143 TIN CUP

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: Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063975
Address: 7017 FORREST MEADOWS DR

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: Kau



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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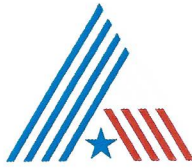
Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063976
Address: 7025 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kate



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83 APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC

Parcel I.D.: 10258

Address:

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: Kew



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

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For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-37

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063972
Address: 6947 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: Kat



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063971
Address: 6939 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063973
Address: 7001 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kall



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063974
Address: 7009 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kat



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063970
Address: 6931 FORREST MEADOWS DR

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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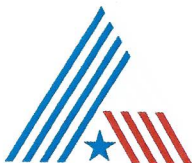
Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063982
Address: 7109 TIN CUP

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kat



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

11/23/2021

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Name: ABILENE FORREST HILL LLC

Parcel I.D.: 1063965

Address: 3502 HARI TEXAN CT

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: _____

Kathy



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

RE: Z-2021-37 - Rezone from RS-6 to MD and RS-8 to RS-6

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Name: ABILENE FORREST HILL LLC

Parcel I.D.: 1063966

Address: 3501 HARI TEXAN CT

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: Kay



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC

Parcel I.D.: 1063968

Address: 3517 HARI TEXAN CT

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

Email: planning@abilenetx.gov

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: Kate



PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83APT D
ABILENE, TX 79602-5484

NOTICE OF PUBLIC HEARING

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Name: ABILENE FORREST HILL LLC
Parcel I.D.: 1063963
Address: 3518 HARI TEXAN CT

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

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐
Additional Comments:

Signature: Kate



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ABILENE FORREST HILL LLC
545 S US HIGHWAY 83 APT D
ABILENE, TX 79602-5484

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Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-37

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: ABILENE FORREST HILL LLC

Parcel I.D.: 1063981

Address: 7117 TIN CUP

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: _____

Kalle

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.

If you have any questions, please contact Nick Watts at telephone 325-437-4585 or by email address planning@abilenetx.gov

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

CASE #: Z-2021-37

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: ABILENE FORREST HILL LLC
Parcel I.D.: 1063977
Address: 7149 TIN CUP

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

Email: planning@abilenetx.gov

I am in favor ☒

I am opposed ☐

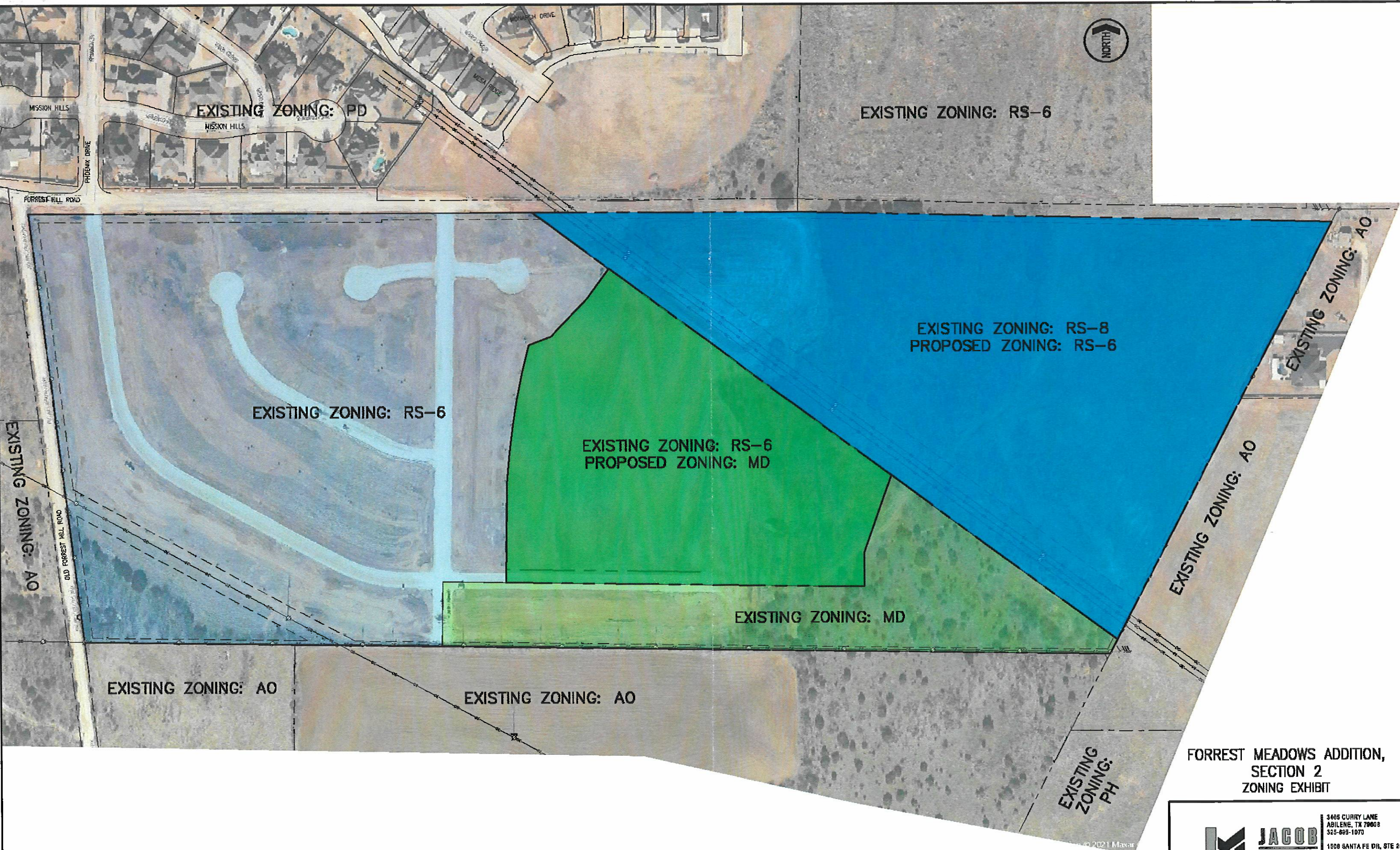
Additional Comments:

Signature: _____

Kall

555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

We work together to build and maintain a community of the highest quality for present and future generations.



EXISTING ZONING: PD

EXISTING ZONING: RS-6

EXISTING ZONING: RS-8
PROPOSED ZONING: RS-6

EXISTING ZONING: RS-6

EXISTING ZONING: RS-6
PROPOSED ZONING: MD

EXISTING ZONING: MD

EXISTING ZONING: AO

EXISTING ZONING: AO

EXISTING ZONING: AO

EXISTING ZONING: AO

EXISTING ZONING: PH

FORREST MEADOWS ADDITION,
SECTION 2
ZONING EXHIBIT



3466 CURRY LANE
ABILENE, TX 79603
325-695-1070
1506 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-584-9820
TBPLS FIRM# 10024300

ORDINANCE NO. 26-2019

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 25th day of April, 2019.

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 15th day of March, 2019, 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 May, 2019, 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 May, 2019.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 26-2019

EXHIBIT A

Rezone 41.94 acres of now-vacant land, from Residential Single-Family (RS-8) zoning to a combination of Residential Single-Family (RS-6) and Residential Medium Density (MD), zoning districts, specifically as follows:

Legal description being Tract One

BEING a 35.408 acre tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said 35.408 acre tract also being out of that certain 63.95 acre tract of land described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said 35.408 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northwest corner of this described tract and of said 63.95 acre tract;

THENCE N89°55'51"E along the north line of this described tract and the north line of said 63.95 acre tract, a distance of 1175.05 feet to a point for the most northerly northeast corner of this described tract;

THENCE S53°46'44"E along the northeasterly line of this described tract and over and across said 63.95 acre tract, a distance of 1037.68 feet to a point for the most easterly northeast corner of this described tract;

THENCE S19°39'03"W along an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 188.89 feet to a point for an interior corner of this described tract;

THENCE S00°48'13"W along an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 81.39 feet to a point for the most easterly southeast corner of this described tract;

THENCE N89°11'47"W along a southerly line of this described tract and over and across said 63.95 acre tract, a distance of 985.00 feet to a point for an interior corner of this described tract;

THENCE S00°48'13"W along the an easterly line of this described tract and over and across said 63.95 acre tract, a distance of 150.00 feet to a point for the most southerly southeast corner of this described tract, and being in the south line of said 63.95 acre tract;

THENCE N89°11'47"W along a southerly line of this described tract and the south line of said 63.95 acre tract, a distance of 339.23 feet to a slight angle point of this described tract and of said 63.95 acre tract;

THENCE N89°17'45"W along a southerly line of this described tract and said south line of said 63.95 acre tract, a distance of 495.21 feet to a point for the southwest corner of this described tract and of said 63.95 acre tract;

THENCE N07°12'59"W along the west line of this described tract and of said 63.95 acre tract, a distance of 1004.30 feet to the POINT OF BEGINNING and containing 35.408 acres of land, more or less.

Tract Two now in an MD District

BEING a 6.532 acre tract of land out of Lots 1 & 2 of the T.C. Garner Survey Subdivision recorded in Cabinet 4, Slide 11, Plat Records, Taylor County, Texas, and being out of the T.C. Garner Survey, Abstract No. 1366, Taylor County, Texas. Said 6.532 acre tract also being out of that certain 63.95 acre tract of land described in a Warranty Deed with Vendor's Lien to Abilene Forrest Hill, L.L.C. recorded in Instrument No. 201901397, Official Public Records, Taylor County, Texas. Said 35.408 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the southeast corner of this described tract and the southeast corner of said 63.95 acre tract;

THENCE N89°11'47"W along the south line of this described tract and the south line of said 63.95 acre tract, a distance of 1559.29 feet to a point for the southwest corner of this described tract;

THENCE N00°48'13"E along the most southerly west line of this described tract and over and across said 63.95 acre tract, a distance of 150.00 feet to a point for the northwest corner of this described tract;

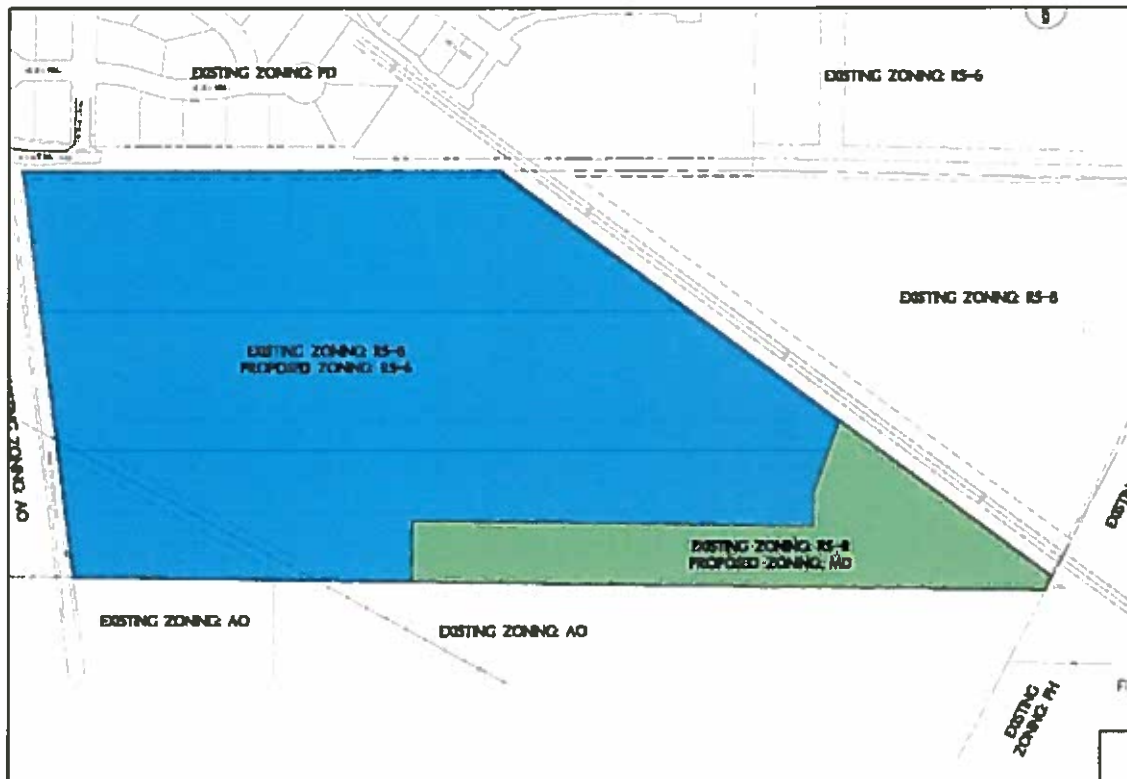
THENCE S89°11'47"E along the northerly line of this described tract and over and across said 63.95 acre tract, a distance of 985.00 feet to a point for an interior corner of this described tract;

THENCE N00°48'13"E along a westerly line of this described tract and over and across said 63.95 acre tract, a distance of 81.39 feet to a point for an angle point of this described tract;

THENCE N19°39'03"E along the northwesterly line of this described tract and over and across said 63.95 acre tract, a distance of 188.89 feet to a point for the north corner of this described tract;

THENCE S53°46'44"E along the northeasterly line of this described tract and over and across said 63.95 acre tract, a distance of 650.26 feet to a point for the east corner of this described tract, and being in the southeast line of said 63.95 acre tract;

THENCE S27°23'10"W along the southeast line of this described tract and of said 63.95 acre tract, a distance of 37.24 feet to the POINT OF BEGINNING and containing 6.532 acres of land, more or less.



-END-

Location: 42 acres of now-vacant land bordering east side of Old Forrest Hill Road, south from Forrest Hill Road.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF **FORREST HILL ROAD TO OLD FORREST HILL ROAD.**

WHEREAS, it is the recommendation of the Planning and Zoning Commission of the City of Abilene that Forrest Hill Road, in the City of Abilene, which is from the south right-of-way line of the east-west street called Forrest Hill Road, south to the north right-of-way line of F.M. 707 (Beltway South) and being a distance of approximately 4,978 feet, should be renamed; and,

WHEREAS, it is the opinion of the City Council that this street should be renamed; now, therefore,

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

PART 1: That Forrest Hill Road from the south right-of-way line of the east-west street called Forrest Hill Road, south to the north right-of-way line of F.M. 707 (Beltway South), as described above, be renamed and will hereafter be known as Old Forrest Hill Road.

PART 2: That the City Engineer be and is hereby authorized and directed to change his maps, plats, and records to include such name to be the proper name of the street described above.

PART 3: That the Planning Department, be and is hereby authorized and directed to change its maps, plats, and records to reflect such name change, and further that the Planning Department shall provide notice of the renaming of such street to all other City departments including the Fire and Police Departments.

PART 4: 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 2 day of February, 19 97, the same being more than twenty-four (24) hours prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 27 day of February, 19 97, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON FIRST READING this 13 day of February A.D. 19 97.

PASSED ON SECOND AND FINAL READING THIS 27 day of February, A.D. 19 97.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR
APPROVED:

[Signature]
CITY ATTORNEY

00019

(43) 5-29-80
ORDINANCE NO. 53-1980

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS.

WHEREAS, Section 4 of the Charter of the City of Abilene, Texas, provides that the City shall have the power, by ordinance, to fix and change the boundaries and limits of the City and to provide for the extension of said boundaries and limits and the annexation of additional territory lying adjacent to the City with or without the consent of the territory and inhabitants thereof annexed; and,

WHEREAS, notice of a public hearing, pursuant to Article 970a, the Texas Municipal Annexation Act, was published in the Abilene Reporter News, a newspaper having a general circulation in the property to be annexed and in the City of Abilene, Texas, on the 29th day of March, 1980, which date was not more than twenty (20) nor less than ten (10) days prior to the date of a public hearing on said annexation; and,

WHEREAS, a public hearing before the City Council of the City of Abilene, Texas, where all interested persons were provided with an opportunity to be heard on said proposed annexation, was held at City Hall on the 10th day of April, 1980, which date was not more than twenty (20) nor less than ten (10) days prior to the institution of annexation proceedings (first reading of this Ordinance); and,

WHEREAS, said territory lies adjacent to and adjoins the present boundaries of the City of Abilene, Texas; now, therefore,

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

PART 1: That the following described land and territory lying adjacent to and adjoining the present boundaries of the City of Abilene, Texas, is hereby added and annexed to the City of Abilene, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Abilene, Texas, and the present boundary limits of the City of Abilene, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Abilene, Texas, to-wit:

2A

PART 2: That upon passage hereof, the property hereinabove annexed shall be zoned as AO (Agricultural Open Space) District, and that any fireworks display presently in existence shall be allowed to continue until August 1, 1981.

PART 3: That, upon final passage hereof, the above described annexed territory shall be a part of the City of Abilene, Texas, and the property situated therein shall bear its pro rata portion of the taxes levied by the City of Abilene, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Abilene.

PASSED ON FIRST READING, this 24th day of April, A.D. 1980.

PART 4: That upon passage of this ordinance on first reading, the City Secretary is hereby directed to publish this ordinance at least one (1) time in the Abilene Reporter News on April 25 or April 26, 1980. This ordinance shall not be considered for final passage until at least thirty (30) days have elapsed after said publication thereof in accordance with Section 4 of the Charter of the City of Abilene, Texas.

PART 5: That upon passage of this ordinance on first reading, the City Secretary is hereby directed to have published at least one (1) time in the Abilene Reporter News, a notice on May 19, 20 or 21, 1980, that a public hearing will be held in the Council Chambers of the City Hall in Abilene, Texas, at 9:00 A.M. on the 29th day of May, 1980, to permit the public to be heard prior to the consideration of this ordinance for second and final reading.

PASSED ON SECOND AND FINAL READING, this 29th day of May,
A.D. 1980.

ATTEST:

Ruth B. Hodgkin
CITY SECRETARY

[Signature]
MAYOR PRO TEMPORE

APPROVED:

[Signature]
CITY ATTORNEY

ANNEXATION

South Tract

BEGINNING at a point on the existing City Limits Line 100 feet East of U.S. Highway 83-84 and on the North Right of Way Line of Antilley Drive if extended;

THENCE South along the existing City Limits a distance of approximately one (1) mile to a point;

THENCE East along the existing City Limits to a point in the East Line of the Southwest 1/4 of Section 14 Lunatic Asylum Land in Taylor County, Texas;

THENCE South to a point 500 feet South and measured at right angles to the South Right of Way Line of F.M. Highway 707;

THENCE West along a line 500 feet South and parallel to the South Right of Way Line of F.M. Highway 707 a distance of approximately 5.7 miles to a point in the Centerline of Elm Creek;

THENCE Northerly, following the meanders of the Centerline of Elm Creek to a point 500 feet North of the Centerline of Antilley Drive;

THENCE East along a line 500 feet North of the Centerline of Antilley Drive to a point in the existing City Limits;

THENCE South with the Existing City Limits Line a distance of 1000 feet;

THENCE East with the Existing City Limits Line to the Centerline of Catclaw Creek;

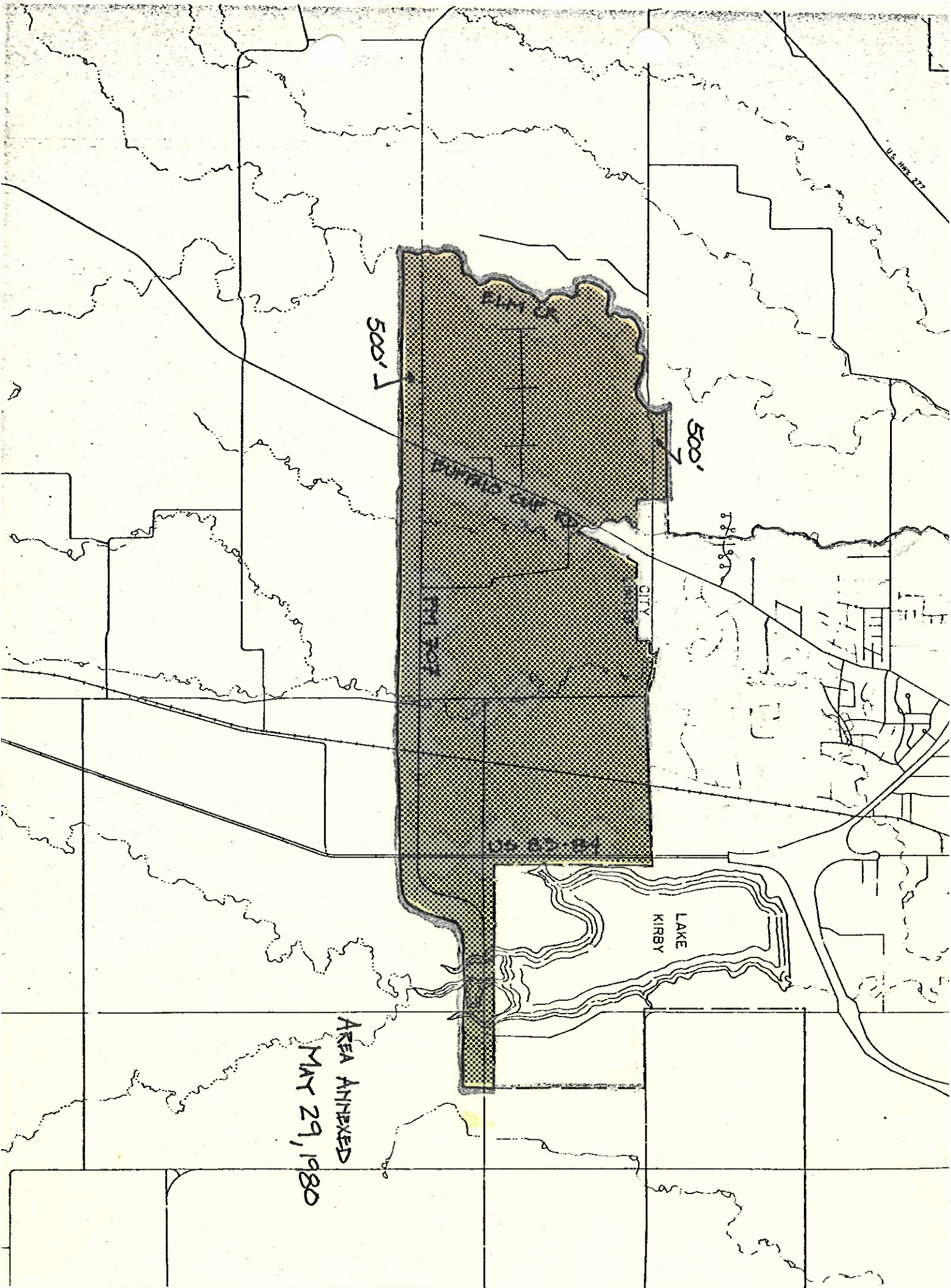
THENCE continuing in a Southerly direction with the Existing City Limits Line being the meanders of the Centerline of Catclaw Creek to a point 500 feet East of and measured at right angles to the East Right of Way Line of Buffalo Gap Road;

THENCE continuing with the Existing City Limits Line in a Northeasterly direction parallel to and 500 feet East of measured at right angles to the East Right of Way Line of Buffalo Gap Road to a point 500 feet South of and measured at right angles to the South Right of Way Line of a County Road known as Antilley Drive;

THENCE East and continuing with the existing City Limits Line along a line 500 feet South of and measured at right angles to the South Right of Way Line of the County Road known as Antilley Drive to a point in the East Line of W. E. Vaughn Survey No. 101 in Taylor County, Texas;

THENCE continuing North with the existing City Limits Line being the East Line of the W. E. Vaughn Survey No. 101 in Taylor County, Texas, to the North Right of Way Line of an East-West County Road known as Antilley Drive;

THENCE continuing with the existing City Limits being the North Right of Way Line of an East-West County Road known as Antilley Drive to the place of beginning.



3-4 Slide 584

CURVE TABLE				
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT
C1	54.70'	330.00'	9°29'52"	27.41'
C2	62.00'	330.00'	10°45'53"	31.09'
C3	62.00'	330.00'	10°45'53"	31.09'
C4	62.00'	330.00'	10°45'53"	31.09'
C5	62.00'	330.00'	10°45'53"	31.09'
C6	11.31'	330.00'	1°57'47"	5.65'
C7	70.90'	330.00'	12°18'34"	35.59'
C8	70.90'	330.00'	12°18'34"	35.59'
C9	16.37'	330.00'	2°50'30"	8.18'
C10	29.41'	270.00'	6°14'28"	14.72'
C11	90.30'	270.00'	19°09'45"	45.58'
C12	110.21'	270.00'	23°23'17"	55.88'
C13	26.99'	270.00'	5°43'41"	13.51'
C14	97.40'	270.00'	20°40'12"	49.24'
C15	32.00'	270.00'	6°47'26"	16.02'
C16	71.12'	270.00'	14°49'04"	35.76'
C17	58.44'	275.00'	12°10'32"	29.33'
C18	2.24'	275.00'	0°28'02"	1.12'
C19	1.32'	275.00'	0°16'30"	0.66'
C20	58.19'	275.00'	12°07'24"	29.20'

CURVE TABLE				
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT
C21	58.39'	275.00'	12°09'54"	29.30'
C22	57.35'	275.00'	11°56'53"	28.78'
C23	56.46'	275.00'	11°45'49"	28.33'
C24	29.97'	275.00'	6°14'40"	15.00'
C25	25.39'	50.00'	29°05'25"	12.97'
C26	54.70'	50.00'	62°41'07"	30.45'
C27	50.18'	50.00'	57°30'17"	27.43'
C28	59.21'	50.00'	67°51'03"	33.63'
C29	62.16'	50.00'	71°13'42"	35.82'
C30	10.16'	50.00'	11°38'27"	5.10'
C31	75.19'	225.00'	19°08'50"	37.95'
C32	111.05'	225.00'	28°16'41"	56.68'
C33	27.86'	225.00'	7°05'39"	13.95'
C34	107.84'	225.00'	27°27'38"	54.98'
C35	110.26'	375.00'	16°50'46"	55.53'
C36	13.05'	50.00'	14°57'31"	6.56'
C37	72.45'	50.00'	8°30'13"	44.26'
C38	50.24'	50.00'	57°34'06"	27.47'
C39	53.08'	50.00'	60°49'18"	29.35'
C40	66.69'	50.00'	76°24'57"	39.36'

CURVE TABLE				
CURVE NO.	ARC LENGTH	RADIUS	Δ ANGLE	TANGENT
C41	6.21'	50.00'	7°06'41"	3.11'
C42	51.33'	425.00'	6°50'10"	25.69'
C43	76.52'	425.00'	10°18'57"	38.36'
C44	59.34'	425.00'	7°59'58"	29.72'
C45	11.03'	425.00'	1°29'11"	5.51'
C46	98.45'	50.02'	86°57'14"	33.98'
C47	56.08'	50.02'	64°14'21"	31.40'
C48	54.05'	50.02'	61°54'50"	30.63'
C49	66.29'	50.02'	75°56'03"	39.63'
C50	26.94'	50.02'	3°05'11"	13.81'
C51	59.48'	375.00'	9°05'16"	29.80'
C52	34.95'	280.00'	7°09'06"	17.50'
C53	27.46'	220.00'	5°38'26"	13.75'
C54	31.21'	250.00'	7°09'06"	15.62'
C55	285.46'	300.00'	54°31'10"	154.57'
C56	143.78'	300.00'	27°27'38"	73.30'
C57	119.82'	250.00'	27°27'38"	61.08'
C58	237.89'	250.00'	54°31'10"	128.81'
C59	162.35'	400.00'	23°15'19"	82.31'
C60	108.23'	400.00'	15°30'09"	54.45'

LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	87.62'	S36°13'16"W
L2	121.02'	S44°05'53"W
L3	55.00'	S88°35'57"W
L4	64.76'	S14°11'46"W
L5	64.13'	S11°35'16"W
L6	63.64'	S8°56'01"W
L7	64.38'	S7°02'44"W
L8	64.20'	S5°16'14"W
L9	64.00'	S1°15'04"W
L10	142.00'	S0°48'13"W
L11	451.50'	S89°11'47"E
L12	485.21'	N89°17'45"W
L13	1004.30'	N7°12'59"W
L14	1181.86'	N89°55'51"E
L15	50.00'	S0°04'09"E
L16	212.83'	S53°46'44"E
L17	5.12'	S0°03'53"E
L18	5.12'	N0°03'53"W
L19	12.93'	N89°11'47"W
L20	12.93'	N89°11'47"W

PLAT NOTES:

- AREA OF SUBDIVISION = 27.312 ACRES, AREA OF ALL PUBLIC R.O.W. DEDICATIONS IS 6.095 ACRES.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NO. 48441-C-0332-F EFFECTIVE JANUARY 6, 2012.
- NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OR OPEN SPACE.
- THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CITY LIMITS OF THE CITY OF ABILENE, TEXAS.
- BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
- UPON COMPLETION OF THE SUBDIVISION STREETS, BURIED UTILITIES, AND FINAL GRADING, MONUMENTATION WILL BE SET AS FOLLOWS: CENTERLINE MARKERS ARE MAG-NAILS WITH WASHERS; LOT CORNERS ARE 1/2" REBAR RODS WITH PLASTIC CAPS STAMPED "J&M BOUNDARY".
- IF OBSTACLES (FENCES, TRANSFORMERS, OPEN TRENCHES, ETC.) ARE ENCOUNTERED DURING THE COURSE OF SETTING MONUMENTATION, THOSE AFFECTED LOT CORNERS WILL BE SET AT AN OFFSET ALONG THEIR RESPECTIVE LOT LINES AT A WHOLE FOOT INTERVAL BETWEEN 1 AND 6 FEET. SURVEYOR WILL SET SAID OFFSET AS CLOSE AS PRACTICAL TO ACTUAL LOT CORNER AND WILL KEEP RECORD OF THE FINAL STAKED LOCATION.
- THE R.O.W. WIDTH OF THIS PORTION OF FORREST HILL ROAD IS COMPOSED OF A CALLED 30' STRIP DEDICATED TO THE CITY OF ABILENE IN VOL. 2127, PG. 351, O.P.R. ON THE SOUTH SIDE ALONG WITH VARIOUS R.O.W. DEDICATIONS (OF 30' TYPICALLY, SOME GREATER) DURING THE SEQUENCE OF MULTIPLE PLATS FOR THE VISTA RIDGE ADDITION (NUMEROUS SECTIONS) ON THE NORTH SIDE.

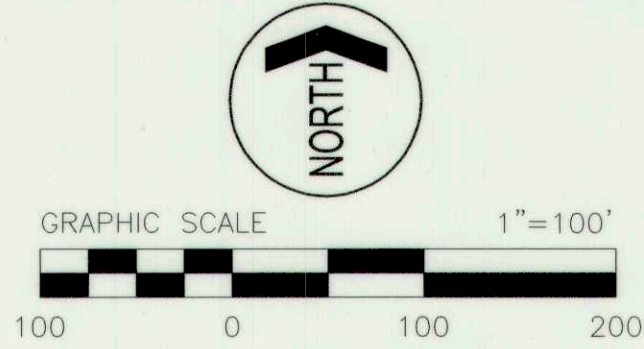
BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH REFERENCING THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS SURVEY DATA. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.000143527.

FINISHED FLOOR ELEVATION:

ALL FINISHED FLOOR ELEVATIONS SHALL BE 18" MINIMUM ABOVE THE HIGHEST ADJACENT STREET CURB AND 12" MINIMUM ABOVE THE HIGHEST ADJACENT FLOOR ELEVATION.

DEVELOPER/SUBDIVIDER:
ABILENE FORREST HILL, LLC
545 SOUTH US HIGHWAY 83,
APT D
ABILENE, TX 79602
325-690-9991



LEGEND

- SUBDIVISION BOUNDARY
- ADJACENT PROPERTY
- PROPOSED LOT LINES
- PROPOSED STREET R.O.W.
- PROPOSED STREET C.L.
- PROP. UTILITY EASEMENTS
- PROP. DRAINAGE EASEMENTS
- EXIST. UTILITY EASEMENTS
- EXIST. STREET R.O.W.
- SET 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- SET MAG NAIL WITH METAL WASHER
- FOUND 3/8 INCH (RF38) OR 1/2 INCH (RF12) REBAR ROD
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP
- FOUND 3/4 INCH REBAR ROD
- D.E. = DRAINAGE EASEMENTS
- U.E. = UTILITY EASEMENTS
- R.O.W. = RIGHT-OF-WAY
- S.L.E. = STREET LIGHT EASEMENTS
- T.L.E. = TRANSMISSION LINE EASEMENT
- D.R. = DEED RECORDS, TAYLOR CO., TEXAS
- P.R. = PLAT RECORDS, TAYLOR CO., TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS
- W.L.E. = WATER LINE EASEMENT

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: 3/9/21
ATTEST: [Signature]
PLANNING DIRECTOR

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS.

3-4-21 FP H21
DATE: 3/9/21
FILE NUMBER: [Signature]
PLANNING DIRECTOR

COUNTY CLERK

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

3/9/21 2021-04811
DATE: 3/9/21
FILE NUMBER: 2021-04811

Larry G. Bevil Taylor
COUNTY CLERK
COUNTY, TEXAS

Candyn Flow
DEPUTY

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.

3/9/21 [Signature]
DATE: 3/9/21
DIRECTOR OF PUBLIC WORKS

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED MANAGER OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF

FORREST MEADOWS ADDITION, SECTION 1
BEING 27.312 ACRES, A REPLAT OF
A PART OF LOTS 1 & 2, OF THE T.C. GARNER SURVEY
SUBDIVISION, AND BEING OUT OF THE
T.C. GARNER SURVEY, ABSTRACT NO. 1366,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LINES, 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 METES & BOUNDS DESCRIPTION

EXECUTED THIS 9th DAY OF MARCH A.D. 2021

K. Hari Krishna
HARI KALLA
ABILENE FORREST HILL, LLC

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

HARI KALLA

KNOWN TO ME TO BE THE PERSON AND MANAGER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

ABILENE FORREST HILL, LLC

A LIMITED LIABILITY CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION, FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 9th DAY OF MARCH A.D. 2021
RACHEL VASSAR
Notary Public, State of Texas
Comm. Expires 10-28-2024
Notary ID 132751413
DAY OF: [Signature]
COUNTY, TEXAS

GENERAL NOTES ACRES: 27.312 ACRES

SCALE: 1"=100' SMALLEST LOT: 0.152 ACRES LARGEST LOT: 2.231 ACRES
LOT WIDTH: MIN. 60.00' MAX. 212.83' LOT DEPTH: MIN. 105.00' MAX. 177.21'

CENTERLINE MARKER SET (SIN80)

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:
FORREST MEADOWS ADDITION, SECTION 1
BEING 27.312 ACRES, A REPLAT OF
A PART OF LOTS 1 & 2, OF THE T.C. GARNER SURVEY
SUBDIVISION, AND BEING OUT OF THE
T.C. GARNER SURVEY, ABSTRACT NO. 1366,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS



[Signature]
SIGNATURE

LEE W. ROSENBAUM
(PRINT)

REGISTERED PROFESSIONAL LAND SURVEYOR

MARCH 3, 2021
DATE



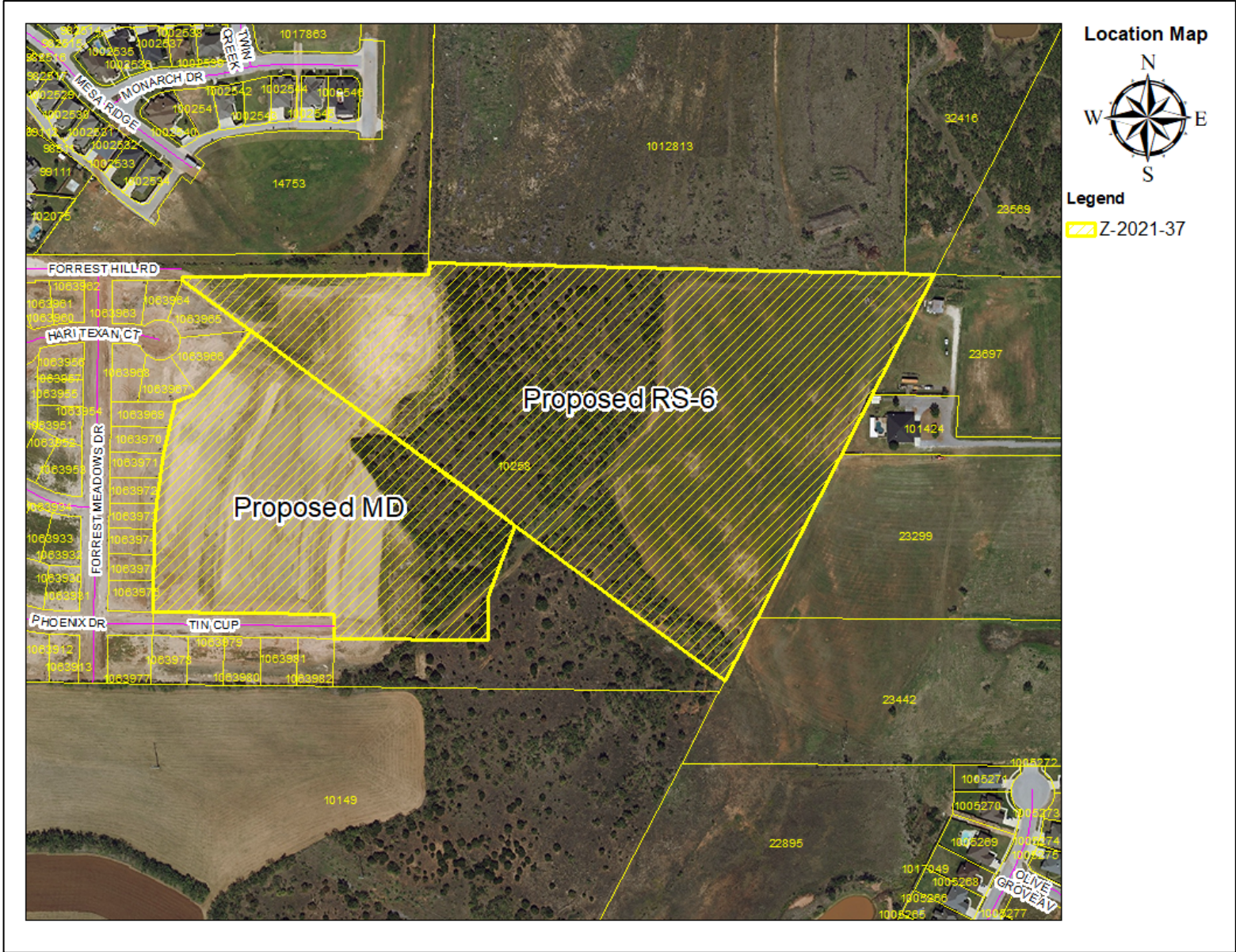
3465 CURRY LANE
ABILENE, TX 79606
325-695-1070

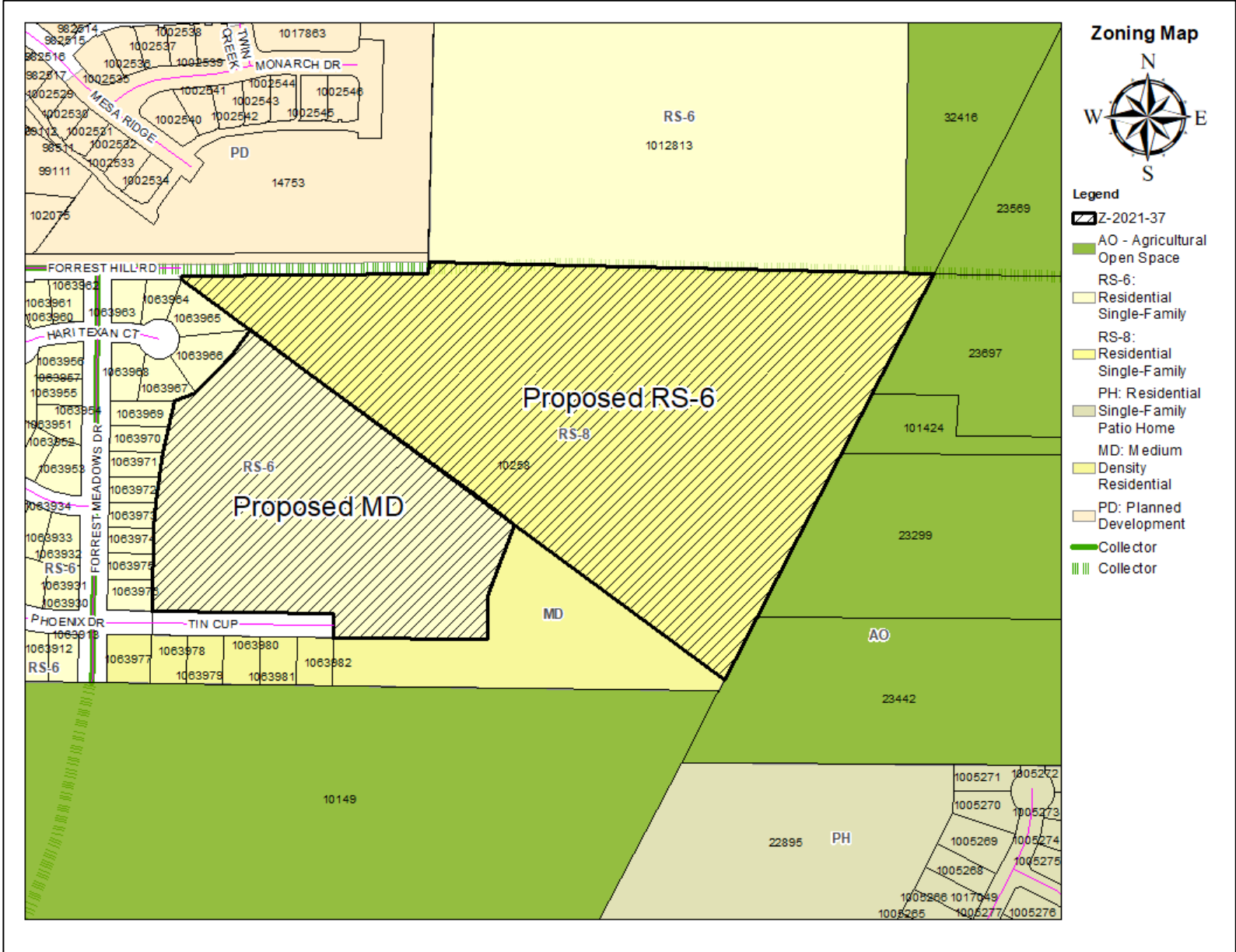
1508 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9880

4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-368-6375

FORREST MEADOWS ADDITION, SECTION 1
BEING 27.312 ACRES, A REPLAT OF
A PART OF LOTS 1 & 2, OF THE T.C. GARNER
SURVEY SUBDIVISION, AND BEING OUT OF THE
T.C. GARNER SURVEY, ABSTRACT NO. 1366,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

Case:	Z-2021-37
Owner:	Abilene Forrest Hill, LLC.
Agent:	Jacob & Martin - Civil Engineering
Request:	Rezone from Residential Single-Family (RS-6) District to Medium-Density (MD) District and Residential Single-Family (RS-8) District to a Residential Single-Family (RS-6) District
Location:	1000 feet east from the 6900 block of Old Forrest Hill Road and 1200-2200 feet west from the 7100 block of Hardwick Road in south Abilene
Notification:	23 in Favor, 0 Opposed
Planning & Zoning:	Approval, December 7, 2021





Permitted Uses in RS Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- C Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- 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
- P Dwelling – Accessory
- 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 Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- 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

Permitted Uses in MD Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- C 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 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

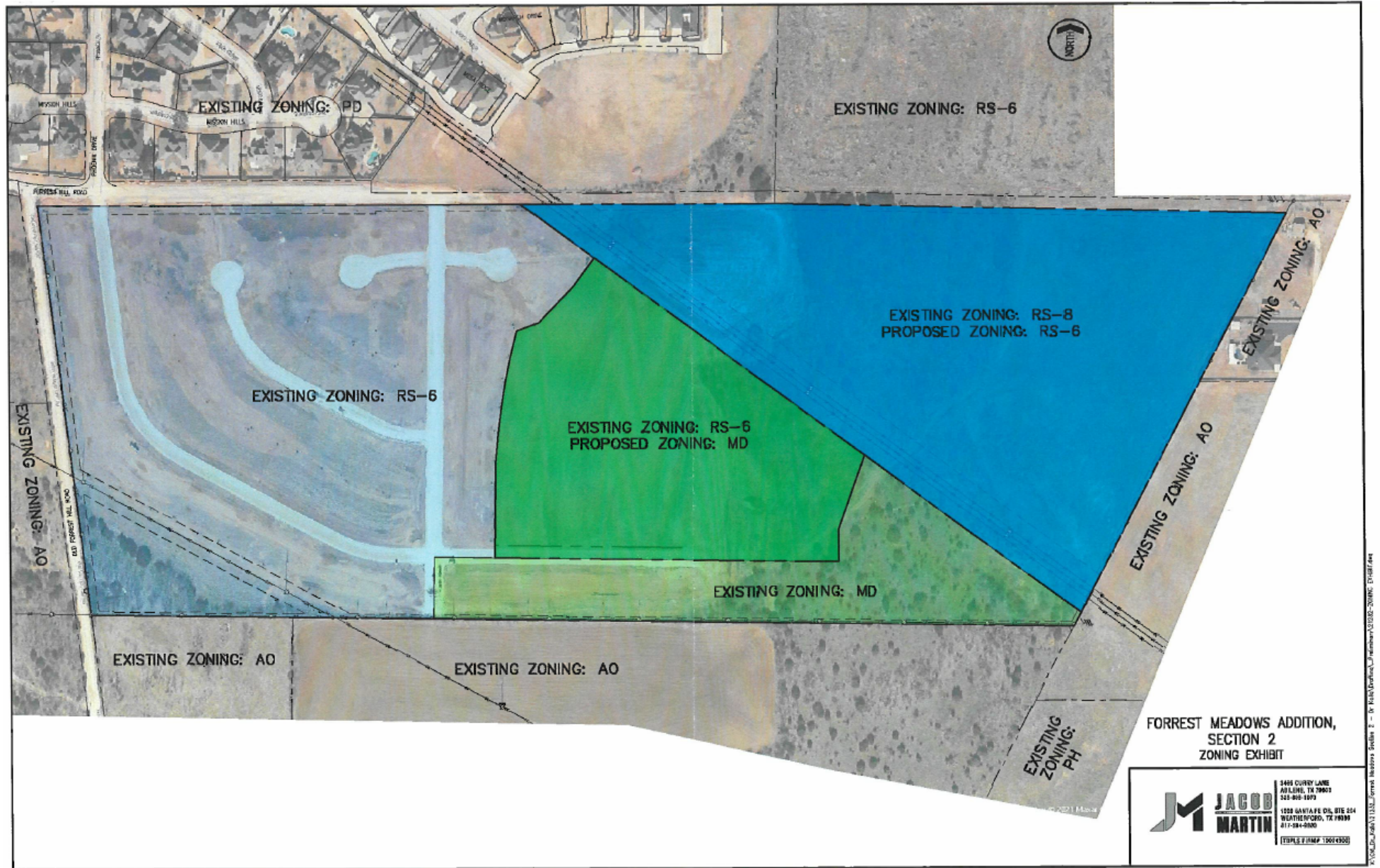
RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

P
C
TP

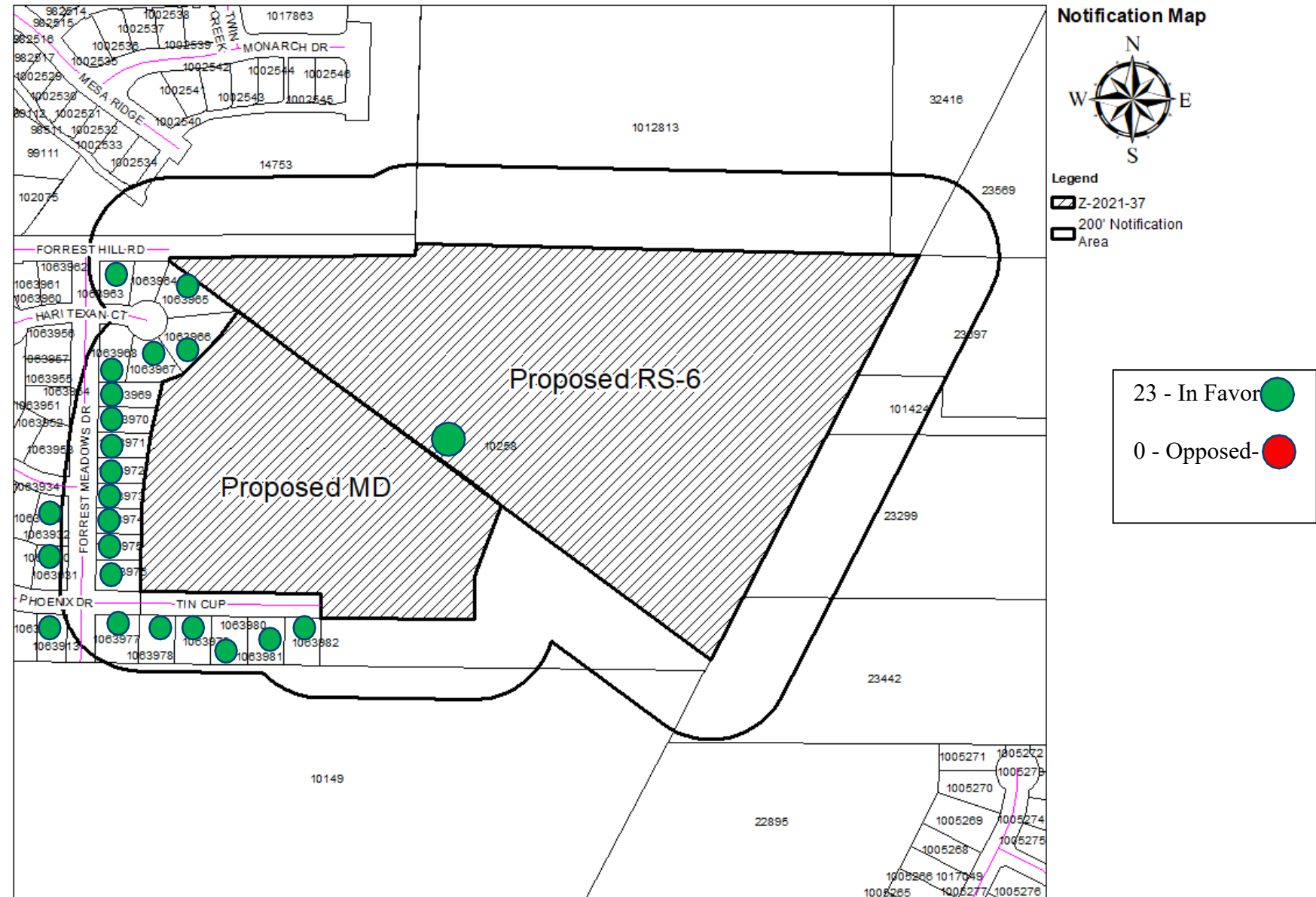
Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
Permitted as a Conditional Use Permit, Requiring Approval by City Council
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



Z-2021-37 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-37 NOTIFICATION AREA MAP



- Consistent with the *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: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **10. Ordinance (First Reading) Z-2021-39: Receive a Report, Hold a Discussion and Take Action on A Request From Bobby Brown To Change Zoning From Residential Single-Family (RS-6) To A Neighborhood Retail (NR) District On Approximately 0.308 Acre Of Land At 2549 And 2601 Ross Street In South Central Abilene. Legal Description Being The West 78 Feet Of The North 172 Feet Of Lot 4 In Block 1 Of The Over Place Addition To The City Of Abilene, Taylor County, Texas (Tim Littlejohn)**

GENERAL INFORMATION

Rezone from Single-Family Residential (RS-6) to a Neighborhood Retail (NR) District.
Location

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 7-0.

ATTACHMENTS:

1. Z-2021-39 Council Ordinance
2. Z-2021-39 Council Staff Report
3. Z-2021-39 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 17th day of December, 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 11th day of December, 2021, the same being more than fifteen (15) days prior to a public hearing held at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 13th day of January, 2022, 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 13th day of January, 2022.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from a Residential Single-Family (RS-6) to a Neighborhood Retail (NR) District:

the west 78 feet of the north 172 feet of Lot 4 in Block 1 of the Over Place Addition to the City of Abilene, Taylor County, Texas.

location: 2549 and 2601 Ross Avenue



-END-

ZONING CASE Z-2021-39

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: December 7, 2021

City Council 1st Reading: December 17, 2021

City Council 2nd Reading: January 13, 2022

Applicant

Owner: Bobby Brown

Request

Rezone from Single-Family Residential (RS-6) to a Neighborhood Retail (NR) District.

Location

2549 and 2601 Ross Avenue, including approximately 0.31 acre on the east side of Ross Avenue and extending approximately 115 to 285 feet north from South 27th Street

Background

This property has been embraced within an RS-6 zoning district since 1960. A single-family home remains within the approximate center of this 0.31 acre of land.

Until 1985, the entire city block where this property is located (bounded by Ross Avenue, Buffalo Gap Road, South 25th and 27th Streets) was embraced within an RS-6 District. It was during 1985 that this city block began commercializing. The greater part of this city block was then embraced within a Planned Development District for retail commercial use, extending approximately 400 feet north and west from the northwest corner of Buffalo Gap Road and South 27th Street.

Buffalo Gap Road and South 27th Street are both classified (and fully improved) as major arterial streets. It is generally appropriate for intensive retail commercial use to be clustered at strategic intersections of major streets, to maximize exposure of commercial use to passing motorists, while minimizing negative impacts on residents.

More recently, the following other rezoning efforts have occurred on this same city block where the subject property (at 2549-2601 Ross Avenue) is situated:

- In 1996, the Planned Development District approved eleven years earlier (on the northwest corner of Buffalo Gap Road and South 27th Street) was converted to a conventional General Commercial District.
- In 2019, land at the northwest corner of this city block (and specifically on the southeast corner of Ross Avenue and South 25th Street) was embraced within a General Retail District. A 48-unit apartment building is now under construction there.
- At its meeting on November 2 of 2021, Abilene's Planning & Zoning Commission recommended approving a Neighborhood Retail District on 0.33 acre of land located directly south of the subject property and situated on the northeast corner of Ross Avenue and South 27th Street. This property is occupied by a residence at 2414 South 27th Street.

Nearby Zoning and Land Use (Existing)

The current zoning of properties adjacent to (and in the immediate area of) this proposed zone change are illustrated on a map included with this report:

- To the east of this subject property is a vacant tract of less than one acre which remains primarily in the same RS6 District as the subject property. Still farther to the east (by a distance of 120 feet) is an auto parts store followed by an automated car wash and a dry cleaning store. All these commercial facilities are located in a General Commercial District extending (a distance of approximately 500 feet) to Buffalo Gap Road.
- To the south of this subject property is a single-family home site that, as of this writing, remains in the same RS-6 District as the subject property. On December 2, Abilene's City Council will be considering a request to change the zoning of this adjoining home site, to a Neighborhood Retail (NR) District. This prospective NR District lies at the northeast corner of Ross Avenue and South 27th Street.
- To the west of this subject property (across the width of Ross Avenue) is a church building and parking lot. This church campus and the entire city block where it is located lies in a Single-Family Residential (RS-6) District.
- To the north of this subject property is a single-family home site which lies in the same RS-6 District as the subject property. Still farther to the north, separated by a distance of 66 feet, is yet another single-family home site. This other single-family home, however, lies in a Neighborhood Retail (NR) zoning district.

Proposed Zoning and Land Use

The owner of this subject property (at 2549-2601 Ross Avenue) seeks its rezoning to a Neighborhood Retail District. The applicant has offered no specific indication of how this property is planned to be used. However, as its name implies, Neighborhood Retail zoning is intended to accommodate a limited range of retail trade and services needed to serve a neighborhood area.

The level of intensity and scale of development permissible in NR Districts are designed for more compatibility with nearby residences, as compared to most commercial zoning. In NR Districts, maximum coverage by any one or more building(s) on a lot cannot exceed 15,000 square feet. Nonresidential uses allowed in NR Districts may not operate before 6:00 AM, nor after 11:00 PM.

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 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 displayed in Abilene's Comprehensive Plan (circa 2004) identifies the subject property and its surroundings to be in an area dominated by low-density residential use. Even within such areas, some localized retail districts should still be created to efficiently serve nearby residential districts. These land use arrangements help maximize convenience (for nearby residents) and minimize traffic congestion. Residents need not drive so far to obtain frequently-used goods and services.

(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.

This subject property (at 2549-2601 Ross Avenue) lies at the west end of a city block that extends all the way east to Buffalo Gap Road, directly north from its intersection with South 27th Street. As mentioned earlier above, both these thoroughfares are major arterial streets, and clusters of intensive retail zoning are generally appropriate at or near the intersection of such streets. Accordingly, almost all the land located within a 500-foot radius north and west from the intersection of Buffalo Gap Road and South 27th Street lies within either a General Commercial (GC) or General Retail (GR) zoning district.

This subject property lies on the same city block as these GC and GR Districts, but outside the 500-foot reach of these intensive commercial zoning classifications. As a result, it is appropriate for the remainder of this city block (outside the existing GC and GR Districts) to be included within some transitional zoning classification, to provide a useful and effective separation between intensive commercial use (closer to Buffalo Gap Road) and the single-family residential environment remaining to the west. The Neighborhood Retail (NR) zoning classification offers just such a transition in the allowed intensity of use.

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

The subject property adjoins Ross Avenue, a subcollector street that is fully-improved with a 36-foot-wide pavement as well as curb-and-gutter. This subject property also lies less than 120 feet from South 27th Street, a fully improved arterial. This arterial street can accommodate increased traffic flow stemming from future commercial use of the subject property, with little or no additional traffic flow through the residential fabric of the adjoining neighborhood.

Suitable water and sewer mains also exist in the adjoining right-of-way for Ross Avenue, directly accessible to this subject property.

(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 of the community.

Staff Recommendation

City staff recommends approving this requested zone change to a Neighborhood Retail (NR) District. As mentioned above, such commercial zoning can provide a useful and effective transition between an intensive retail environment (existing to the east) and a low-density residential neighborhood remaining to the west.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on November 22 of 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

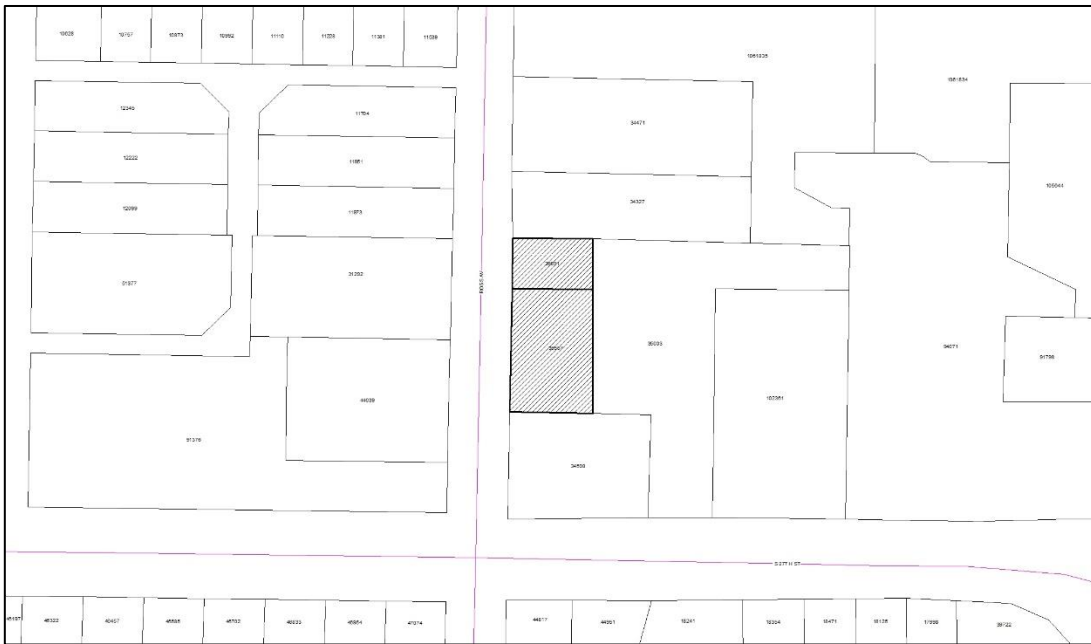
Owner	Parcel ID	Situs	Response
ADKISSON RICHARD L & MARSHA A	34327	2541 ROSS AV	
ADKISSON RICHARD L & MARSHA A	34471	2525 ROSS AV	
BAZE JUSTIN DAVID	11539	2501 S 25TH ST	
BROADVIEW BAPTIST CHURCH	51376	2500 S 27TH ST	
BROADVIEW BAPTIST CHURCH	11973	2542 ROSS AV	
BROADVIEW BAPTIST CHURCH	11704	2526 ROSS AV	
BROADVIEW BAPTIST CHURCH	31292	2602 ROSS AV	
BROADVIEW BAPTIST CHURCH	44639	2618 ROSS AV	
BROADVIEW BAPTIST CHURCH	34598	2414 S 27TH ST	
BROWN BOBBY	35557	2601 ROSS AV	
BROWN BOBBY	35691	2549 ROSS AV	
BRYAN BENNY DEAN JR	18241	2409 S 27TH ST	
HONG ANG	44951	2441 S 27TH ST	
LANDEROS JUAN	47074	2501 S 27TH ST	
O REILLY AUTO ENTERPRISES LLC	102361	2366 S 27TH ST	
ORTIZ ADAM DARREN	11851	2534 ROSS AV	OPPOSED
RONDO PROPERTIES PTSH	35003		
TORRES BEATRIZ	44817	2449 S 27TH ST	
WESTERN BANK	1061835	2501 ROSS AV	

Attachments

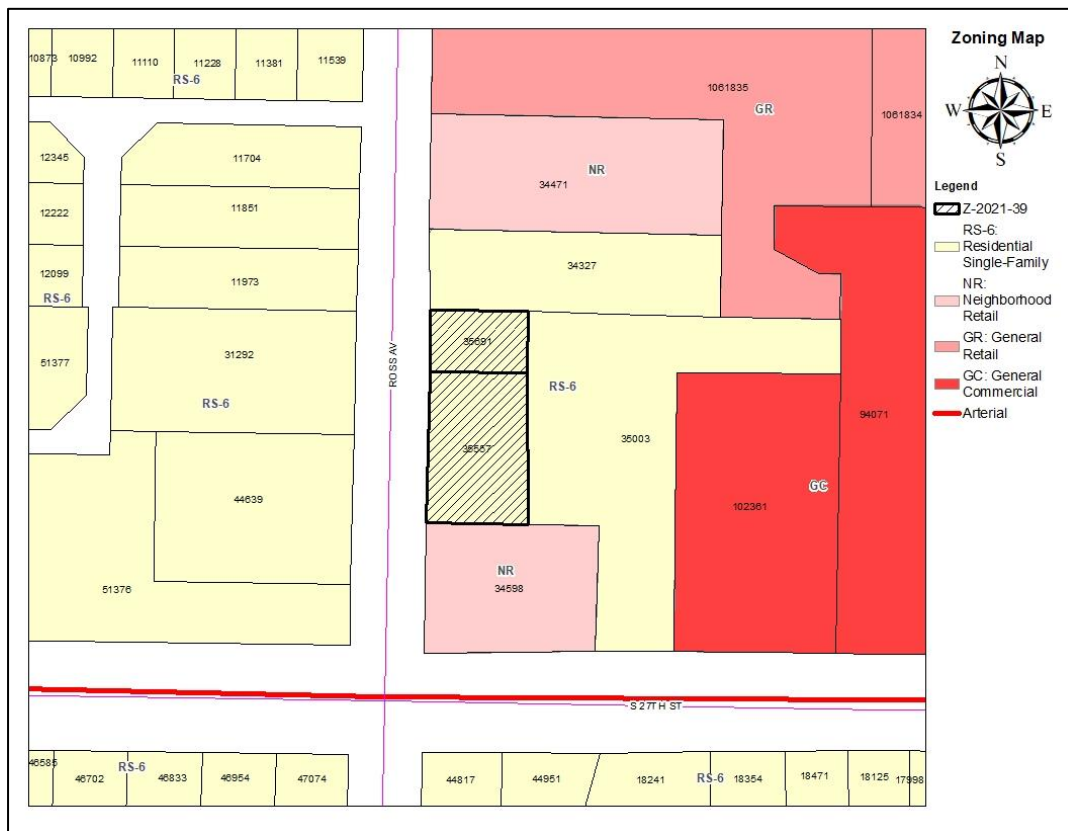
Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP





Development Application

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

Project Name: Bobby Brown
 Address: 2549 Ross Ave. & 2601 Ross Ave. Abilene, TX No. of lots: 2 Acreage: _____
 Legal Description: Over place block 1, Lot N50 W78 L1 & Over place block 1, Lot W78 S1 22 of N172
 Subdivision Name: Overplace Block: 1 Lot: N50 W78 L1 & W78 S1 22 ^{OF Lot 4}
 Current Zoning: R56/COR Proposed Zoning (if applicable): NR

OWNER AND AUTHORIZATION

Owner Name: Bobby Brown
 Address: 4049 Inverrary Drive
 City, State, Zip: Abilene, Texas 79606 Fax: _____
 Phone: 325-721-3998 Email: brownproperties24@yahoo.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) Bobby Brown will act as my agent before the Planning and Zoning Commission.

Agent Name: Bobby Brown
 Address: 4049 Inverrary Drive
 City, State, Zip: Abilene, Tx 79606 Fax: _____
 Phone: 325-721-3998 Email: brownproperties24@yahoo.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: Bobby Brown Date: October 29, 2021

FOR OFFICE USE ONLY

Received: 10/30/2021 Fee: \$ 1500 Receipt No.: 0001065455
 Case No.: _____ Reviewed By: P.S.

* NOTE: The legal description for each of these two properties is as follows:

2549 Ross Avenue includes the north 50 feet of the west 78 feet of Lot 4 in Block 1 of the Over Place Addition to the City of Abilene, Texas;
2601 Ross Avenue includes the west 78 feet of the north 122 feet of the north 172 feet of Lot 4 in Block 1 of the Over Place Addition to the City of Abilene, Texas.



Development Application

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

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

My name is Bobby Brown. I am the owner of the property at 2549 Ross Avenue, Abilene, Texas. Over twenty years ago I bought this vacant lot at the same time I bought the joining property at 2601 Ross Avenue to be rental property. I am now wanting to sell the property. The property has O'Reilly's on the east side and is zoned general retail. The block on which the lot sits is full of general retail zoning. The property at 2417 South 27th street to the south of my property is in the process of changing its zoning to general retail. I think this being a fact will make my property more attractive to retail buyers. There are no liens or other obligations that keep me from moving forward. Now is the time to move on it. Please change zoning to neighborhood retail.

Thank you,
Bobby Brown



Development Application

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

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

My name is Bobby Brown. I am the owner of the property at (2601 Ross Avenue), Abilene, Texas. Over twenty years ago I bought the house for rental property. The property has O'Reilly's on the east side and is zoned general retail. The block on which the house sits is full of general retail zoning. The property joining my property on the south is in the process of changing their zoning to general retail. I think this being a fact will make my property more attractive to retail buyers rather than residential buyers. There are no liens or other obligations that keep me from moving forward. Now is the time to move on it. The current state of the housing market, along with the interest rates and business growth in Abilene, makes this a good time to act. Please change zoning to neighborhood retail.

Thank you,
Bobby Brown



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

[Planning] Property Owner of 2534 Ross Avenue Address Opposed to Zoning Change

1 message

Adam O <itconsultanttexas@gmail.com>
To: planning@abilenetx.gov

Wed, Nov 24, 2021 at 2:18 PM

Hello Mr. Brad Stone and Planning and Development Services of Abilene, TX,

I have received a Notice of Public Hearing letter in the mail. It is in regards to Zone Change Request Number Z-2021-39. This letter informs me of a zoning change near my property, [2534 Ross, Abilene, TX 79605](#) (PID: 11851). I want to notify the Planning and Development Services of Abilene, TX, that I strongly oppose this request from Mr. Bobby Brown to change the current zoning from Residential Single Family (RS-6) code into a Neighborhood Retail (NR) code.

I have lived in my property with my family for 20+ years. I do not want to live within the same zone as retail. Retailers get customers who will bring unwanted day-to-day traffic congestion, hearing of frustrations from upset customers, and potentially violent acts, such as theft. This zoning change for retail will mean the police will have to oversee these issues on a typical basis. Honestly, I feel unsafe and fear I might hear a police siren and a dangerous incident going on outside more than I hear my television at night. Also, this decision will bring construction, which will lead to traffic redirections and increase. I do not want my street to be busier for my family or me during the day or night.

I appreciate the opportunity to protest changes of any kind near my property. Would you please call or email me if you have any questions?

Thank you for your time

Adam Ortiz
Address: [2534 Ross Ave, Abilene, TX 79605](#)
Occupation: IT Support Specialist
Central Appraisal District of Taylor County
Personal Phone: 325-271-5399
Personal Email: itconsultanttexas@gmail.com

--

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.



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

ORTIZ ADAM DARREN
2534 ROSS AVE
ABILENE, TX 79605-6355

NOTICE OF PUBLIC HEARING

RE: ZONE CHANGE REQUEST NUMBER Z-2021-39

11/22/2021

The Planning and Zoning Commission will hold a public hearing on **December 7, 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 Bobby Brown to change zoning from Residential Single-Family (RS-6) to a Neighborhood Retail (NR) District on approximately 0.308 acres of land at 2549 and 2601 Ross Street in south central Abilene. Legal description being the west 78 feet of the north 172 feet of Lot 4 in Block 1 of the Over Place Addition to the City of Abilene, Taylor County, Texas.

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 a zone change request. 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 **January 13, 2022 at 8:30 AM** in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Brad Stone at telephone 325-676-6382 or by email address planning@abilenetx.gov

For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-39

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.

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

Name: ORTIZ ADAM DARREN

Parcel I.D.: 11851

Address: 2534 ROSS AV

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: _____

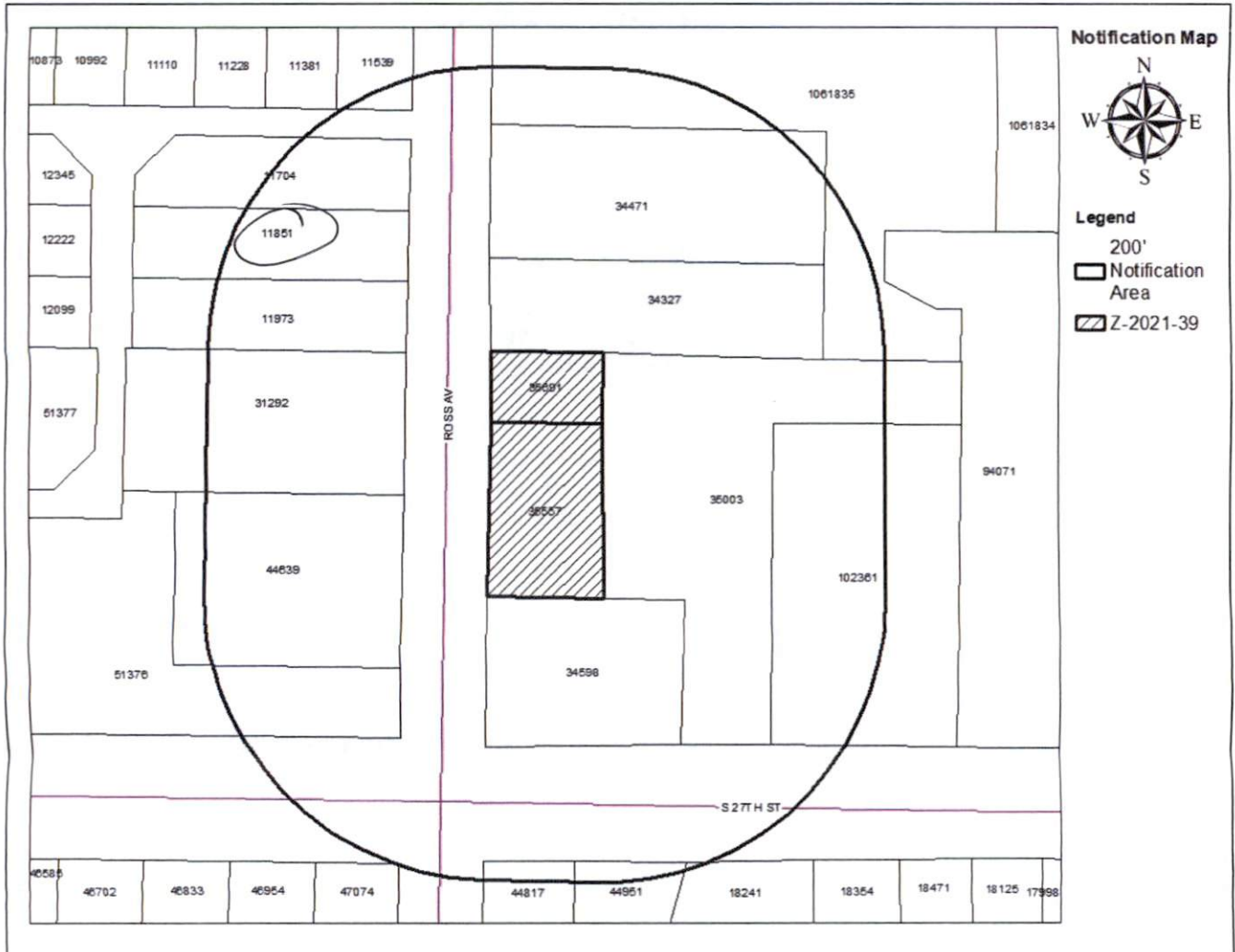
Adam Ortiz



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

Z-2021-39

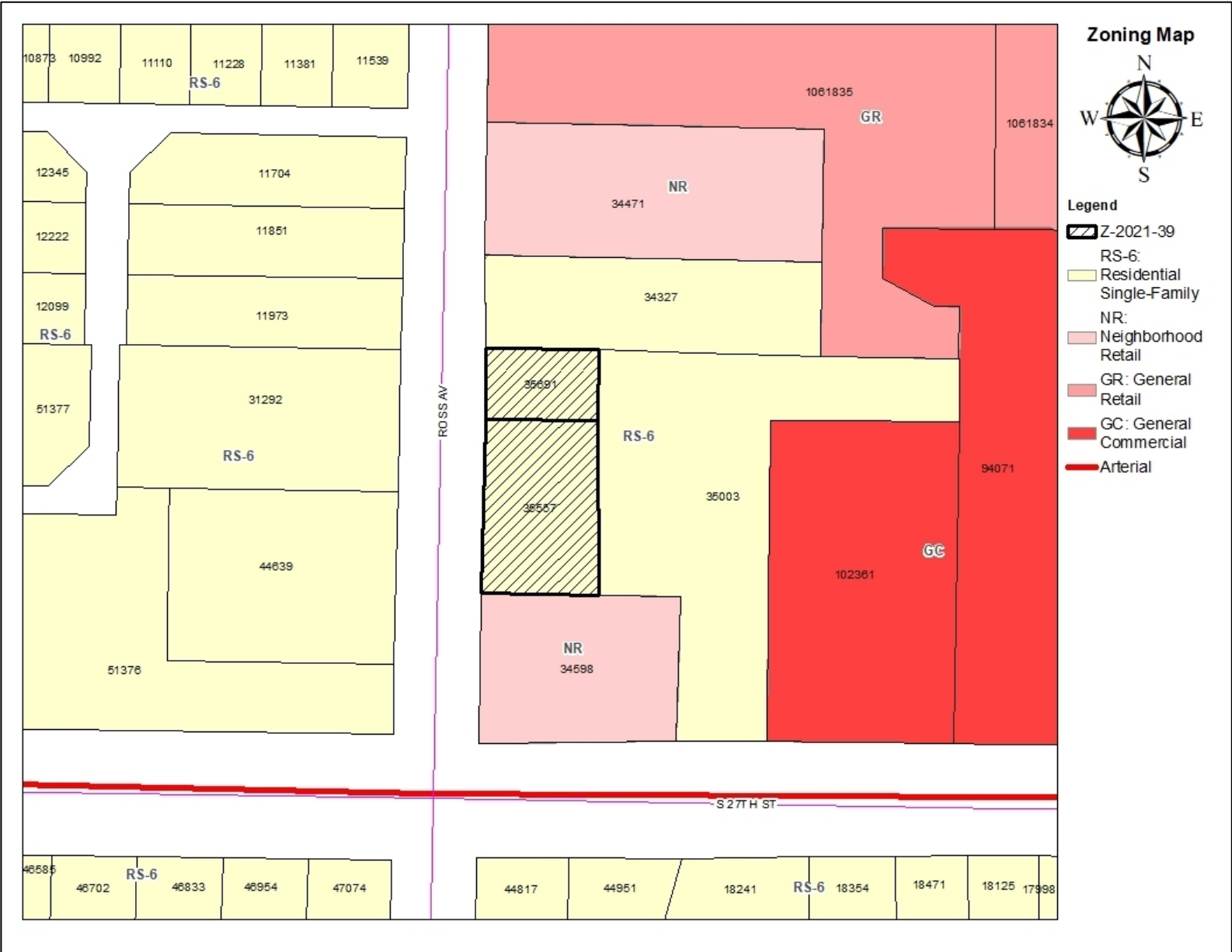


Case:	Z-2021-39
Owner:	Bobby Brown
Request:	Rezone from Residential Single-Family (RS-6) District to Neighborhood Retail (NR) District
Location:	2549 & 2601 Ross Avenue
Notification:	0 in Favor, 1 Opposed
Planning & Zoning:	Approval, December 7, 2021

Z-2021-39 LOCATION MAP



Z-2021-39 ZONING MAP



Permitted Uses in RS Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- C Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- 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
- P Dwelling – Accessory
- 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 Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- 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

Permitted Uses in NR Zoning

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling - Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- C Dwelling – Multiple-Family
- P Dwelling – Single Family Detached
- C Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home Based
- C Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Fuel Sales
- P Garage Sales
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- C Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- C Cultural Facilities
- P Recreation – Outdoors (passive)
- C Recreation and Commercial Entertainment - Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- C Medical/Dental Laboratory
- P Post Office
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

- C Automobile Wash
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

TRADE – RETAIL USES

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- C Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- C Restaurant, Brew Pub
- C Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Broadcast Studio
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

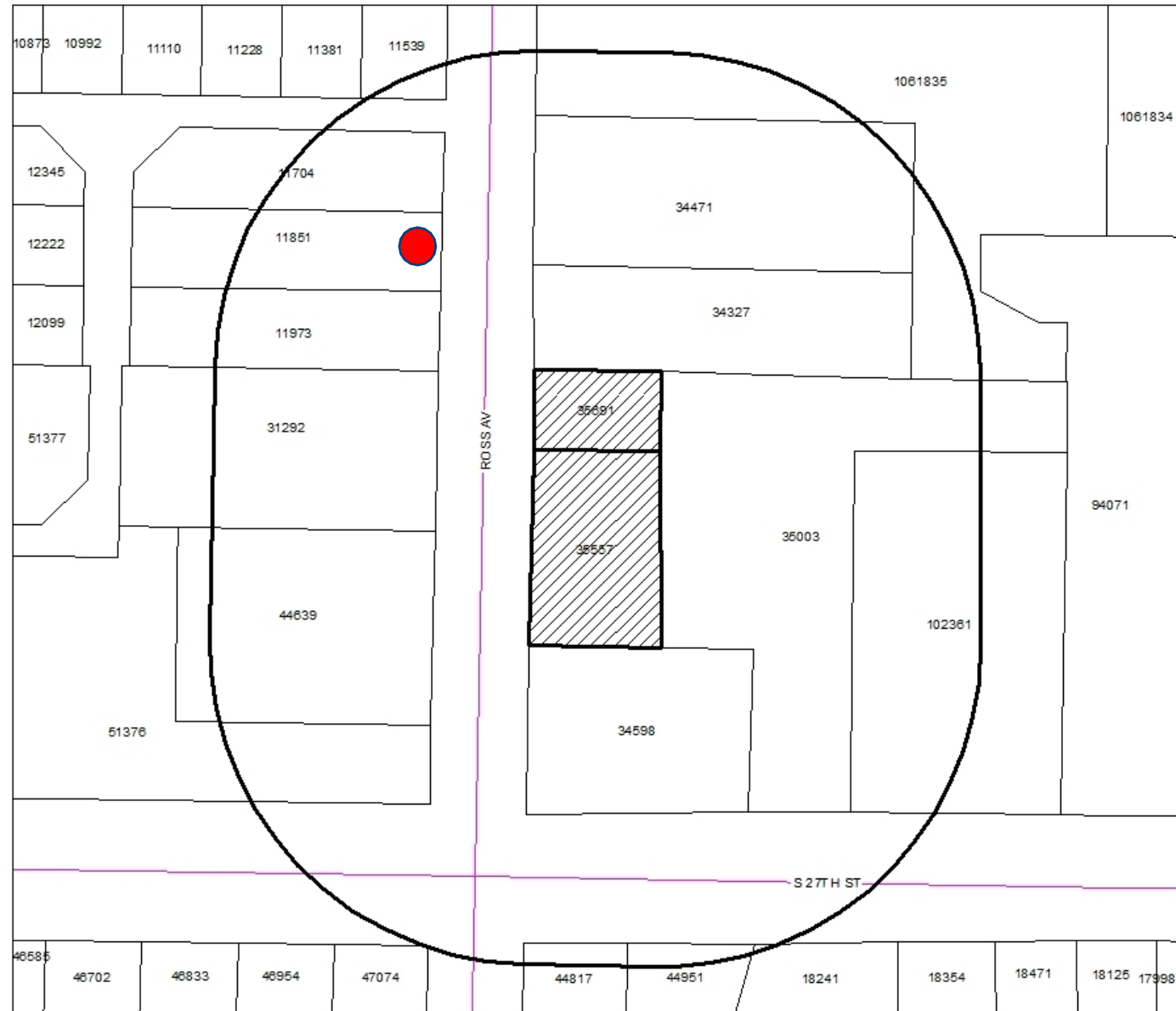
P
C
TP

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

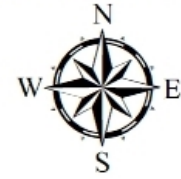
Z-2021-39 VIEWS OF SUBJECT & ADJACENT PROPERTIES



Z-2021-39 NOTIFICATION AREA MAP



Notification Map



Legend

- 200'
- Notification Area
- Z-2021-39

- 0 - In Favor- ●
- 1 - Opposed- ●
- 2.7 % Opposition

- Consistent with the *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: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **11. Ordinance (First Reading) TC-2021-07: Receive a Report, Hold a Discussion and Take Action on A Request From Severo Garcia (Represented By Geotex Property Solutions LLC) To Abandon Certain Segments Of Unimproved Right-Of-Way Dedicated For Benbrook Street Extending As Much As 500 Feet West From Baker Street In Western Abilene, Leaving At Least A 30-Foot Width Of Right-Of-Way Therein To Function As An Alleyway (Tim Littlejohn)**

GENERAL INFORMATION

The request is to abandon certain north portions of existing unimproved right-of-way for Benbrook Street projecting west from Baker Street, leaving at least a 30-foot wide right-of-way to someday function as an alleyway.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request by a vote of 7-0.

ATTACHMENTS:

1. TC-2021-07 Council Ordinance
2. TC-2021-07 Council Staff Report
3. TC-2021-07 Council Presentation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR ABANDONMENT OF CERTAIN PORTIONS OF PUBLIC RIGHT-OF-WAY FOR BENBROOK STREET EXTENDING AS MUCH AS 500 FEET WEST FROM BAKER 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 Benbrook Street, as described on Exhibit "A" attached hereto and made part of this ordinance for all purposes, be and the same are hereby abandoned, vacated and closed insofar as the right, title or easement of the City of Abilene is concerned, subject to conditions expressed also in attached Exhibit "A".

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 17th day of December, 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 11th day of December, 2021, the same being more than fifteen (15) days prior to a public hearing held at the Abilene Public Library's South Branch in the Mall of Abilene at 4310 Buffalo Gap Road in Abilene, Texas, at 8:30 a.m. on the 13th day of January, 2022, 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 13th day of January, 2022.
ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons the following portions of right-of-way presently available for Benbrook Street:

the north 30 feet of the westernmost 313.1 feet of the right-of-way presently available for Benbrook Street, and

the north 10 feet of that certain portion of the 40-foot-wide right-of-way presently available for Benbrook Street and extending 184.88 feet west from right-of-way presently available for Baker Street, SUBJECT TO the following conditions:

1. A suitable graphic subdivision plat is prepared by a Texas-registered surveyor, approved by the City of Abilene and, then, recorded with the Taylor County Clerk. Such plat must illustrate how both the affected rights-of-way (authorized to be abandoned) will be integrated with adjoining property.
2. Easements for drainage and utilities are reserved over the entire length and width of rights-of-way authorized to be abandoned.



-END-

TC-2021-07

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: December 7, 2021

City Council 1st Reading: December 17, 2021

City Council 2nd Reading: January 13, 2021

Applicant

Owner (of adjacent property): Severo Garcia

Agent: Geotex Property Solutions, LLC

Request

Abandon certain north portions of existing unimproved right-of-way for Benbrook Street projecting west from Baker Street, leaving at least a 30-foot wide right-of-way to someday function as an alleyway there.

Location

Portions of right-of-way for Benbrook Street proposed to be abandoned extend approximately 500 feet west from Baker Street in far west Abilene.

Background

Abilene has two separate and distinct segments of Benbrook Street:

- One segment extends $\frac{1}{4}$ mile between Presidio Drive and Corsicana Avenue. This first segment of Benbrook Street is fully-improved with pavement and completely lined with single-family homes. No portion of this segment of Benbrook Street is proposed to be abandoned.
- The other segment of Benbrook Street extends west from Redbird Lane in far west Abilene, at 1000 feet crossing Baker Street, after which it “dead ends” in a cul-de-sac turnaround approximately 500 feet west from Baker Street. No portion of this second segment of Benbrook Street is now improved with pavement or even gravel. Until 1992, this second segment of Benbrook Street extended even farther west to Veterans Drive (formerly Vapor Trail). But the western 420+ feet of Benbrook Street was officially abandoned in June of 1992. The land within that already-abandoned segment of Benbrook Street is now incorporated within a parking lot for the VFW Post at 1049 Veterans Way.

An owner of land on the west side of Baker Street has applied to have abandoned certain north portions of unimproved right-of-way for Benbrook Street extending west from Baker Street. With approval of this requested abandonment, the applicant (Severo Garcia) will be able to expand the land available for existing and future home site(s) on his property.

Assessment

The applicant is seeking to have abandoned only certain portions of right-of-way* on the north side of Benbrook Street projecting west from Baker Street. If this abandonment is approved, the leftover

* specifically, the north 10 feet of a 40-foot-wide right-of-way dedicated for Benbrook Street extending 184.88 feet directly west from Baker Street’s right-of-way, as well as the north 30 feet of at least a 60-foot-wide right-of-way for Benbrook Street extending 184.88 to 497.98 feet west from Baker Street’s right-of-way

portions of Benbrook Street's right-of-way will remain wide enough (at least 30 feet) to someday function as a useful alleyway. This alleyway will come complete with enough right-of-way for a suitable turnaround at its otherwise dead end, located approximately 500 feet west of Baker Street.

Also, if approved as requested, this abandonment will leave no existing lot or parcel of land with access only to the remaining alley right-of-way, and without access to a street.

No utilities (underground or overhead) are now located within the unimproved right-of-way proposed to be abandoned, or within the leftover right-of-way which would remain west of Baker Street.

Staff Recommendation

City staff recommends approving the current request to abandon certain north portions of Benbrook Street's unimproved right-of-way west of Baker Street, leaving at least a 30-foot-wide right-of-way to someday function as an alleyway.

- With 1992's abandonment of the western 420+ feet of Benbrook Street's original right-of-way extending to Veteran's Way, the remaining 500 feet of Benbrook Street (west of Baker Street) was left a dead end with little or no prospects for future extension.
- The applicant's plan for subdividing his property north of this dead end street does not include creating any new lots with access only to Benbrook Street.

Given these circumstances, the only prospective use for this dead-end right-of-way will be as an alley, for which only a 20- to 30-foot-wide right-of-way is necessary. The remaining right-of-way (after abandonment) will be at least 30 feet wide and terminated by a useful turnaround (already dedicated) at its dead end.

City staff also urges that any ordinance authorizing this abandonment be made subject to the following two conditions:

1. That a suitable graphic resubdivision (replat) is prepared by a registered surveyor, approved by the City of Abilene and, then, recorded with the Taylor County Clerk. Such replat must illustrate how the affected right-of-way (authorized to be abandoned) will be integrated with adjoining property.
2. That drainage and utility easements is reserved within the otherwise abandoned right-of-way, if for no other reason than similar such easements were reserved with the earlier (1992) abandonment of Benbrook Street's western right-of-way extending to Veteran's Way.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on November 22 of 2021 (via certified mail) to the applicant and to other owners of property within a 200-foot radius of the subject street right-of-way. These property owners and associated parcel identification numbers are identified below:

Owner	Parcel ID	Situs	Response
GARCIA ISAAC & PETRINA	56562	6126 FAIRMOUNT ST	
GARCIA SEVERO & MARTA	72843	1026 BAKER ST	
GARCIA SEVERO & MARTA	24520	1034 BAKER ST	
HUDMAN LINDA M & E VICTOR	73260	1065 BAKER ST	
MARTIN D DENSON POST	91120		
SANCHEZ JUAN JR & ANDREA	74075	1117 BAKER ST	FAVOR
VFW POST #6873	73939	1110 BAKER ST	
VFW POST 6873	24523	1049 VETERANS DR	

Attachments

- Application
- PowerPoint

LOCATION MAP



ZONING MAP





Development Application

Planning

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

Project Name: Severo Garcia Addition
 Address: 1034 Baker Street No. of lots: 1 Acreage: 5.11 Ac.
 Legal Description: Lot 5 Anderson & Berry
 Subdivision Name: Severo Garcia Block: _____ Lot: 5
 Current Zoning: RS-6 Proposed Zoning (if applicable): N/A

OWNER AND AUTHORIZATION

Owner Name: Severo Garcia
 Address: 1034 Baker St
 City, State, Zip: Abilene TX Fax: _____
 Phone: (325) 518-2742 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) Kelsey Williams will act as my agent before the Planning and Zoning Commission. (Geotex)

Agent Name: Geotex Property Solutions, LLC
 Address: 209 S. Pioneer Dr., Ste. 2
 City, State, Zip: Abilene, TX 79605 Fax: _____
 Phone: 325-677-6712 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: [Signature] Date: 11-8-21

FOR OFFICE USE ONLY

Received: 11/08/2021 Fee: \$ 1500 Receipt No.: 0001065456
 Case No.: TC-2021-07 Reviewed By: P. S.

* Specifically, the north 10 feet of a 40-foot-wide right-of-way dedicated for Benbrook Street extending 184.88 feet directly west from Baker Street and the north 30 feet of at least a 60-foot-wide right-of-way for Benbrook Street extending 184.88 to 497.98 feet west from Baker Street



Development Application

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

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

a 413.2-Foot ROW of

This is for the abandoning of ↓ Benbrook Street West of
Baker Street ^{adjacent to} ~~out of~~ the property owned by Severo Garcia.

Contact Alonso Garcia at 325-518-2742 or

Geotex Property Solutions, LLC at 325-677-6712

Trying to close down street to be able to build two
houses (one for myself other is for my son).

02, Block 2,
1 Subdivision
t 4, Slide 267
at Records

ck 1,

y City rdinance No.
ity Easement
P.O.B.
BROOK STREET
(R/W Varies)

lock A,
on No. 1
bdivision
Slide 190
ords

20' Utility & Drainage
Easement

NORTH 447.42'

10' Sewer Line
Easement
1797/908 O.P.R.

Richmond Street abandoned by
City Ordinance No. 30-2013,
recorded in Instrument No.
2013-15710 O.P.R.
Retained for Access and Accessible
Utility Easement

EAST 497.78' total
EAST 487.78'

Lot 1
(A)

RIGHT-OF-WAY PROPOSED
TO BE ABANDONED

313.1

WEST 487.78'
WEST 497.98'

ALLEY

Lot 2, Block 1,
BOWMAN SUBDIVISION
Cabinet 2, Slide 128-D
Plat Records

RIGHT-OF-WAY
PROPOSED TO
REMAIN

Block A
EDITH HARRIS SUBDIVISION
Cabinet 2, Slide 264-C
Plat Records

VPW Post 6873
(12.910 Ac.)
2966/496 O.P.R.
Un-Platted

BAKER STREET (R/W Varies)

SOUTH 447.42' total

BAKER STREET (R/W Varies)

Charles & Leta Barbee
(2 Ac.)
950/488 & 450 D.R.
Un-Platted

RICHMOND
(R/W Varies)

Linda Mae & Eugene Hudm
(2 Ac.)
1748/69 O.P.R.
Un-Platted

BENBROOK
(R/W Varies)

Andrea & Juan Sanchez
(2 Ac.)
Instrument No. 2008-1275
Un-Platted

CASE #: TC-2021-07

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: SANCHEZ JUAN JR & ANDREA

Parcel I.D.: 74075

Address: 1117 BAKER 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:

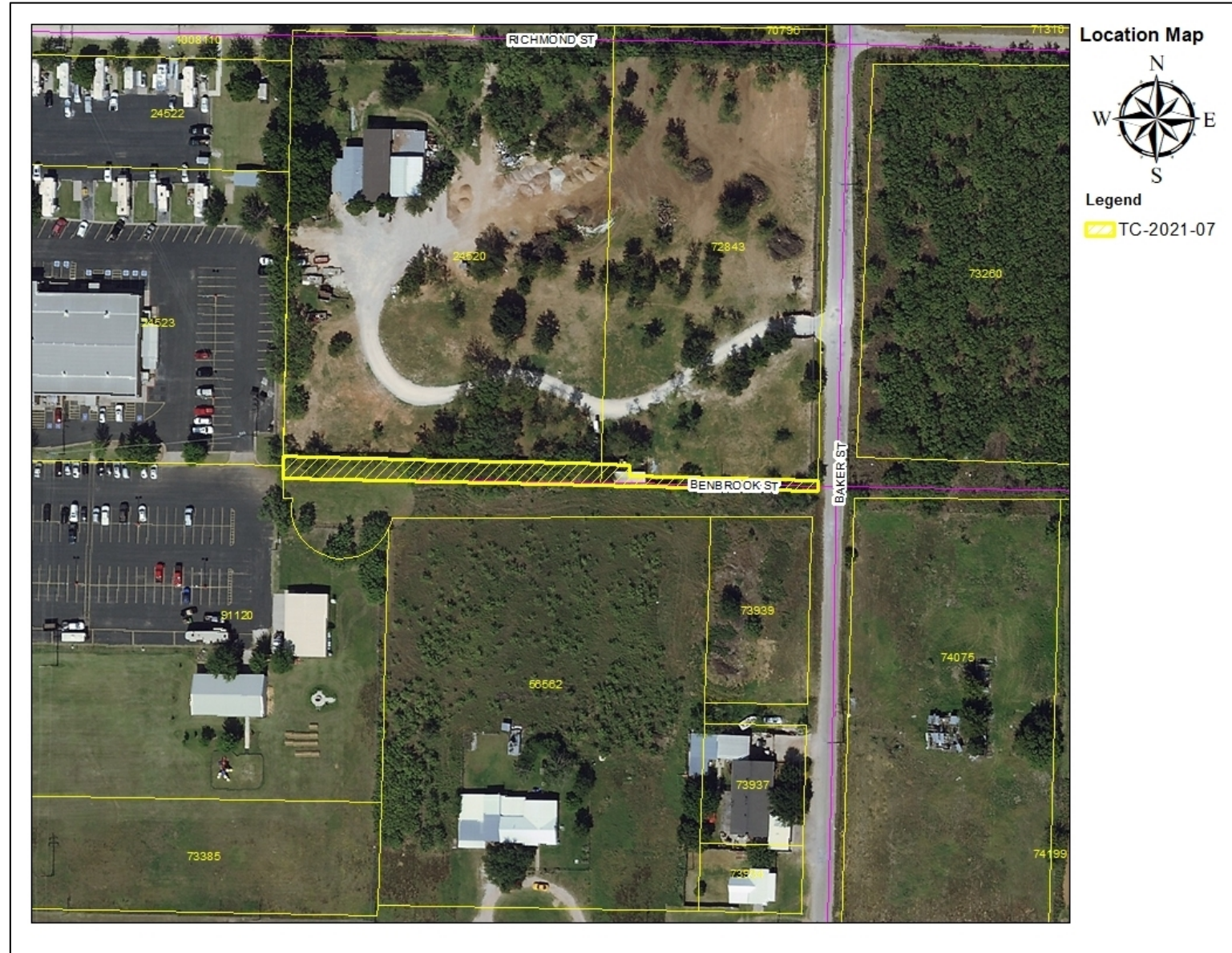
Andrea Sanchez

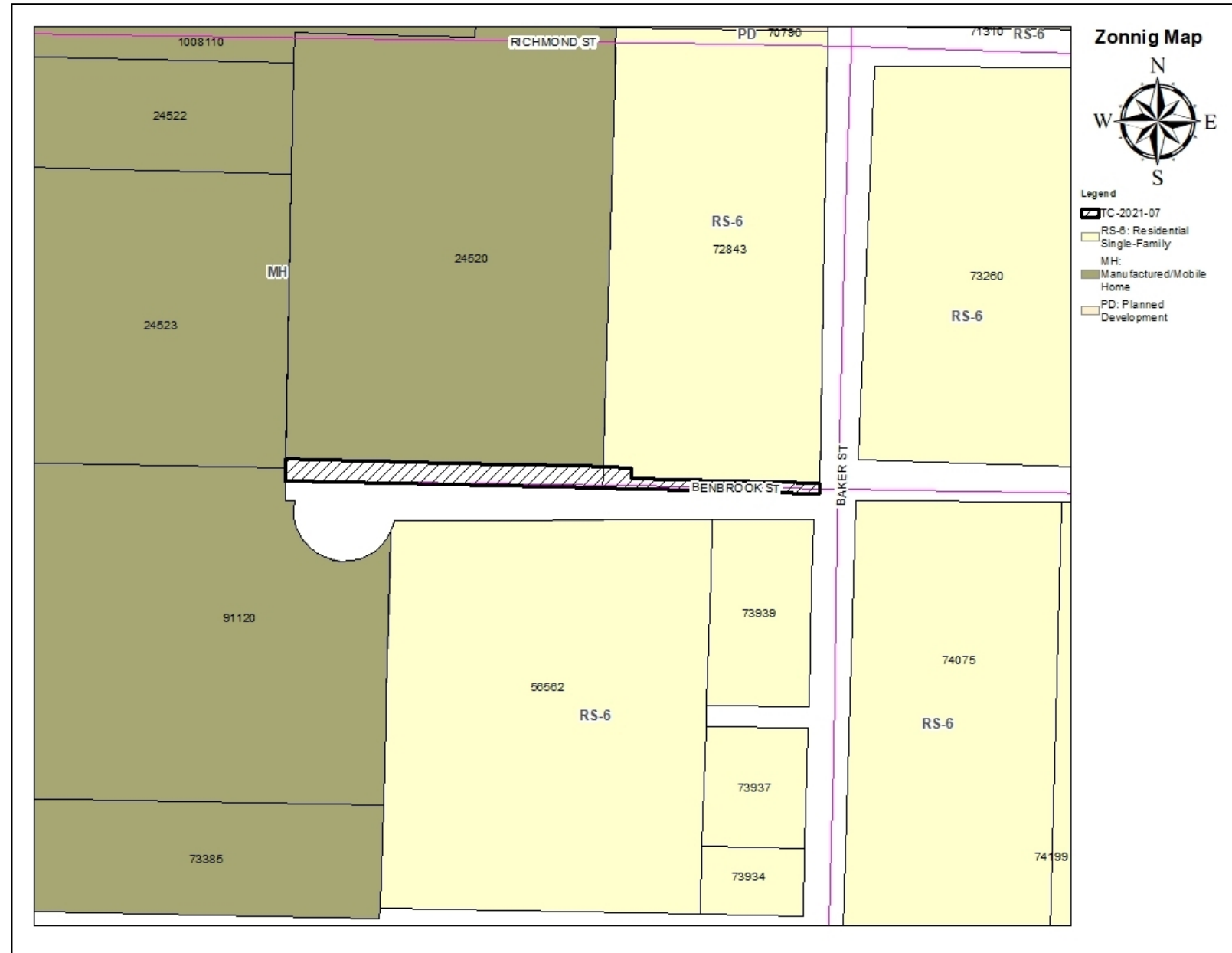
DEC 6 AM 9:27

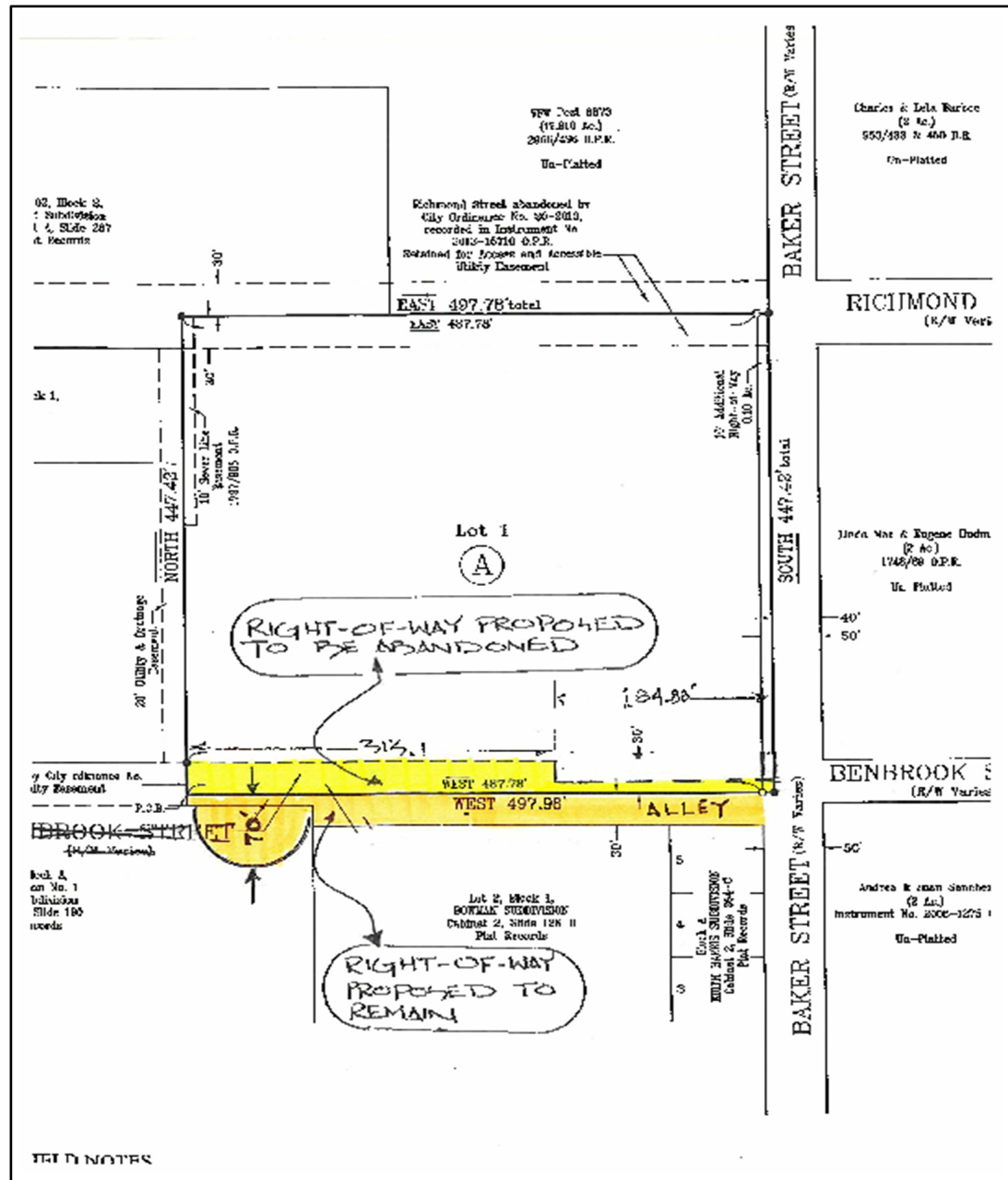
555 WALNUT STREET • P.O. BOX 60 • ABILENE, TEXAS 79604-0060

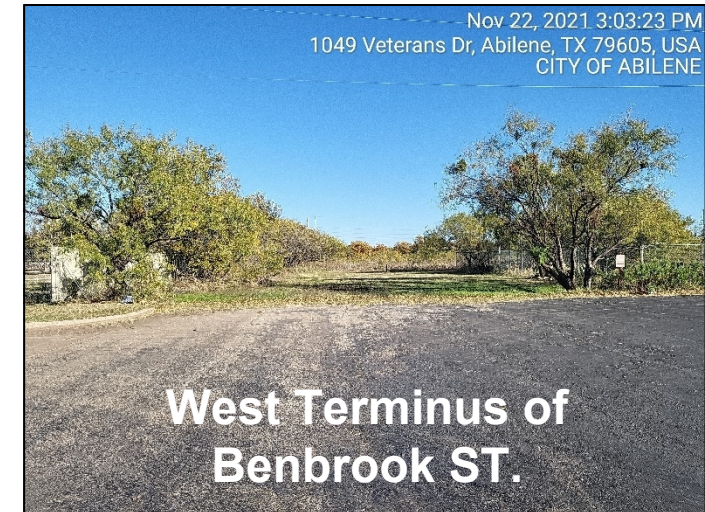
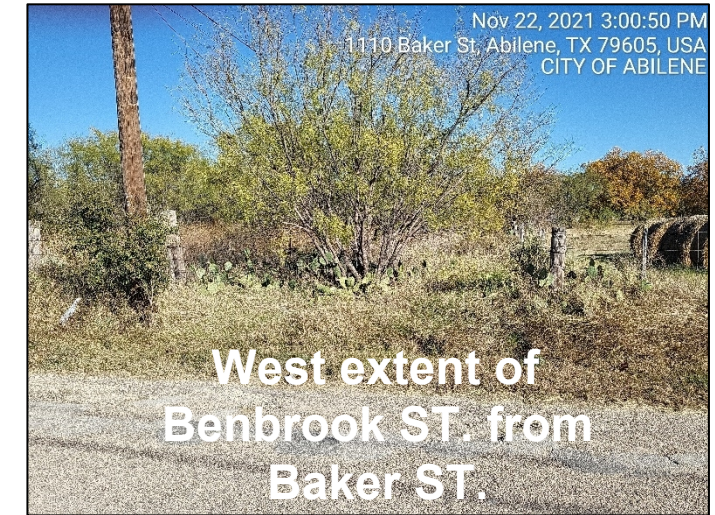
We work together to build and maintain a community of the highest quality for present and future generations.

Case:	TC-2021-07
Applicant:	Severo Garcia
Agent:	Geotex Property Solutions, LLC.
Request:	Abandon certain north portions of existing unimproved right-of-way for Benbrook Street
Location:	Approximately 500 feet west from Baker Street in far west Abilene
Notification:	1 in Favor, 0 Opposed
Planning & Zoning:	Approval, December 7, 2021

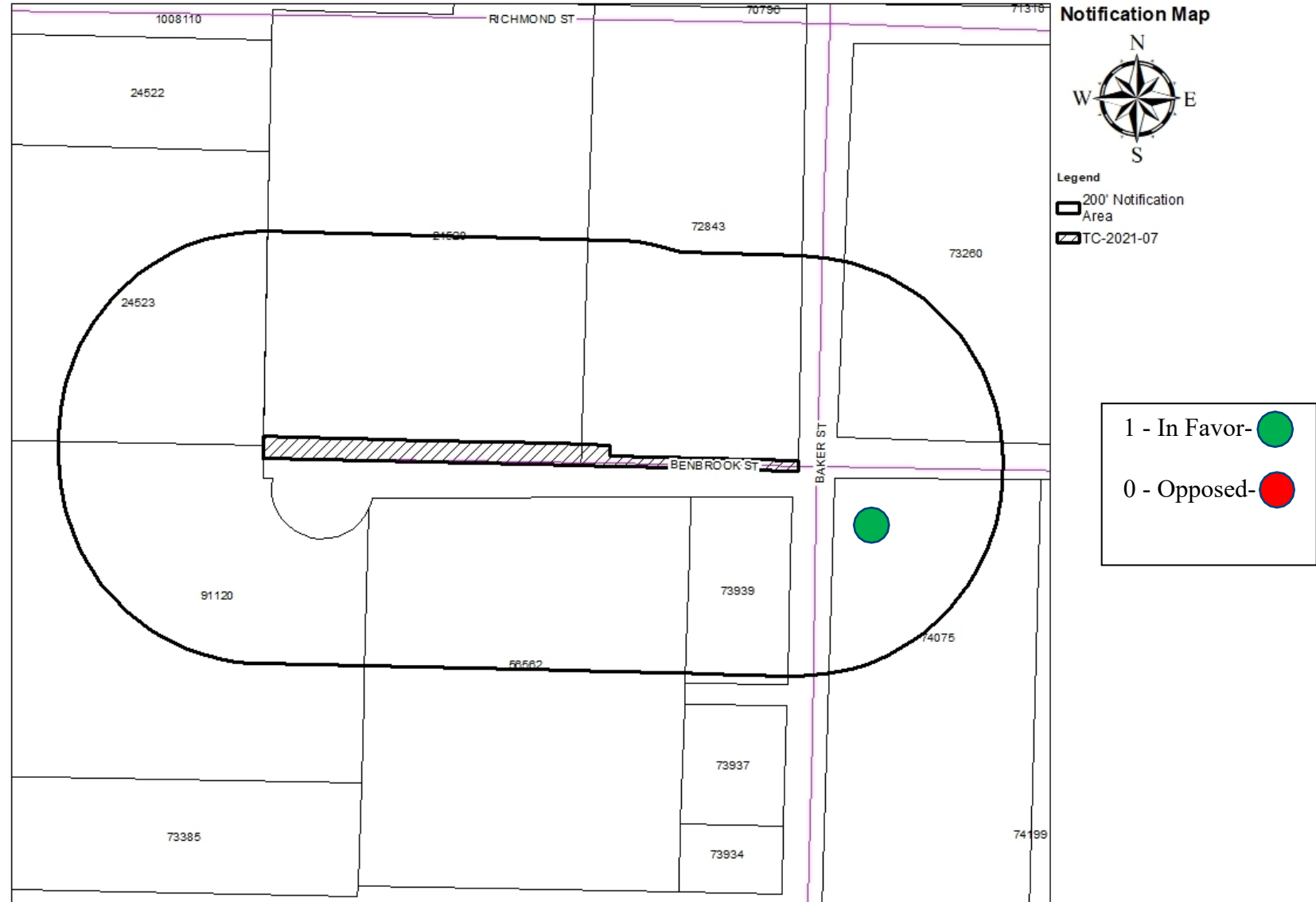








TC-2021-07 NOTIFICATION AREA MAP



- Consistent with the *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: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Lesli Andrews, Director

SUBJECT: **12. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving an Ordinance establishing the 2022 Standards of Care (Lesli Andrews)**

GENERAL INFORMATION

In August of 1997 the 74th Legislature enacted 42.041(14) of the Texas Human Resources Code, which exempts youth programs operated by a municipality from state child-care licensing requirements. The Texas Human Resources Code provides that in order for a municipality to be exempt from the state's licensing requirements, the governing body of the municipality must annually adopt standards of care by ordinance after a public hearing. The major difference in the City's standards is that we have established standards for 6-13 years of age, whereas the state's standard is for 0-6 years of age, a population we mostly do not serve.

SPECIAL CONSIDERATIONS

The standards of care require three levels of inspection. Review levels are performed each year to ensure compliance. The first level is performed by the Recreation Coordinator to confirm adherence to the standards themselves. The second is a visual inspection of the facilities to be conducted by the division manager with the assistance of a Parks and Recreation professional not associated with the City of Abilene. The visual inspection was conducted on October 27, 2021. The Parks and Recreation Professional who assisted was Carl White, Parks and Recreation Director, from San Angelo, Texas. The third level is an annual inspection by both the Fire Department and Environmental Health. All of these inspections and reviews were satisfactorily completed and the program is in compliance. A copy of the 2022 Standards of Care will be online for additional access.

The only change in the 2022 Standard of Cares was the removal of the verbiage "Community

Services" which was replaced with "Parks and Recreation" due to a department name change.

FUNDING/FISCAL IMPACT

No funding or fiscal impact.

STAFF RECOMMENDATION

Staff recommends adopting the 2022 Standards of Care.

BOARD OR COMMISSION RECOMMENDATION

The 2022 Standards of Care were approved at the November 16, 2021 Parks and Recreation board meeting.

ATTACHMENTS:

1. 2022_Ordinance_Standards_of_Care
2. 2022 Standards of Care - Exhibit A
3. Redline 2022 Standards of Care
4. Abilene recreation centers inspections October 27, 2021
5. Presentation 2022 Standards of Care

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, ESTABLISHING STANDARDS OF CARE FOR CITY OF ABILENE YOUTH PROGRAMS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; AND CALLING A PUBLIC HEARING.

WHEREAS, the City of Abilene, through the Division of Recreation, provides youth programs that contribute to the overall wellbeing of youth and families of the City of Abilene; and

WHEREAS, these youth programs are presently held at the Recreation Centers; and

WHEREAS, the 74th Legislature enacted Section 42.041(14) of the Texas Human Resources Code, which would exempt youth programs operated by a municipality from child-care state licensing requirements provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing; and

WHEREAS, The City of Abilene has had Standards of Care in place for twenty one years which have functioned well; and

WHEREAS, Abilene Parks and Recreation Board the Administrator of Recreation for the City of Abilene recommends the Standards of Care as set forth in Exhibit "A" be adopted by the City of Abilene:

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

- Section 1.** That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.
- Section 2.** That the Youth Programs' Standards of Care for the City of Abilene, as detailed in Exhibit "A" attached hereto and incorporated herein for all purposes, are hereby approved and adopted.
- Section 3.** That all ordinances or parts of ordinances in conflict with the provisions of the ordinance are hereby repealed.
- Section 4.** That, if any provision of this ordinance will be held to be invalid or unconstitutional, the remainder of such ordinance will continue in full force and effect, the same as if such invalid or unconstitutional provision had never been a part hereof.
- Section 5.** That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

PASSED ON FIRST READING this 2nd day of December, 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 12 day of December 2021, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON SECOND AND FINAL READING this 17th day of December 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

City of Abilene Recreation Division



Standards of Care for Youth Programs 2022

Parks and Recreation
633 Walnut Street
Abilene, TX 79601
(325) 676-6217

www.abilenetx.gov/parksandrec
parksandrec@abilenetx.gov

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ABILENE YOUTH PROGRAMS

STANDARDS OF CARE

General Administration

1. Organization

- A. The governing body of the City of Abilene Youth Programs is the Abilene City Council.
- B. Implementation of the Youth Program's Standards of Care is the responsibility of the Recreation Administrator and departmental employees.
- C. Youth Programs ("Program") to which these Standards apply are the programs held at the City Recreation Centers currently operated by the City of Abilene. Other programs may be subsequently designated by the City of Abilene.
- D. Each of the City of Abilene Youth Program sites will have a current copy of the Standards of Care available for public and staff review.
- E. Parents of participants will be provided a current copy of the Standards of Care during the registration process or the Standards of Care can be accessed on the City of Abilene website at www.abilenetx.gov/camps. Parents of participants will be informed that the City of Abilene Youth Programs is not licensed by the State.
- F. Criminal background checks will be conducted on prospective Youth Program employees. If results of the criminal checks indicate that an applicant has been convicted for any of the following offenses, he or she may not be considered for employment:
 - (1) A felony or a misdemeanor classified as an offense against a person or family;
 - (2) A felony or misdemeanor classified as public indecency;
 - (3) A felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance or any violation of the City Policy;
 - (4) Any offense involving moral turpitude;
 - (5) Any offense that would potentially put the City of Abilene or participants of the Program at risk.
 - (6) In addition, a nationwide check of databases for the Sex Offender Registration Program will be conducted on prospective Program Staff. If results of the check indicate that an applicant is a registered sex offender, he or she will not be considered for employment.

2. Definitions

- A. City: City of Abilene.
- B. City Council: City Council of the City of Abilene.
- C. Department: Parks and Recreation Department of the City of Abilene.
- D. Director: City of Abilene Director of Parks and Recreation Department or designee.
- E. Division: Recreation Services Division of the City of Abilene.
- F. Employee: Someone who has been employed by the City of Abilene and has been assigned responsibility for managing, administering, or implementing some portion of the City of Abilene Youth Programs.
- G. Parent(s): A parent or guardian who has legal custody and authority to enroll a child in the City of Abilene Youth Programs.
- H. Participant: A youth whose parent has completed all required registration procedures and who has been determined to be eligible for the City of Abilene Youth Programs.
- I. Program Manual: A notebook of policies, procedures, required forms, and organizational and programming information relevant to City of Abilene's Youth Programs.
- J. Program Site: Any area or facility where the City of Abilene Youth Programs is held.
- K. Recreation Coordinator: City of Abilene Recreation Division full-time Programmer who has been assigned administrative responsibility for the City of Abilene Youth Programs.
- L. Recreation Specialist or Recreation Leader: Any City of Abilene Recreation Division employee (full-time or part-time) who has been assigned responsibility to implement the City of Abilene Youth Programs.
- M. Playground Supervisor or Playground Aide: Any City of Abilene Recreation Division temporary employee who has been assigned responsibility to implement the City of Abilene Youth Programs.
- N. Administrator: City of Abilene Administrator of Recreation Services or his or her designee.
- O. Youth Program(s) or Program: City of Abilene Youth Programs held at the City's Recreation Centers are currently operated by the City of Abilene. Other programs may be subsequently designated by the City of Abilene. These programs are not child-care facilities.

3. Objective of Youth Programs

- A. To provide Youth with the opportunity of recreational activities which may include sports, games, arts and crafts, education, dance, drama, special events, field trips, etc...
- B. To provide an encouraging atmosphere by emphasizing the positive development of physical skills, emotional development, and growth of self-confidence.
- C. To provide a safe environment by promoting good health and welfare for all participants.
- D. To teach Youth how to spend leisure time wisely in an effort to meet the emotional, physical, and social needs of Youth.

4. Inspections/Monitoring/Enforcement

- A. An annual facility inspection report will be initiated by the Recreation Coordinator of each Program to confirm adherence to the Standards of Care. This report will be submitted in March.
 - (1) Inspection reports will be sent to the Administrator for review and kept on record for at least two years.
 - (2) The Administrator will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Administrator will make visual inspections of the facilities, based on the following schedule. A Parks and Recreation Professional that is not associated with the City of Abilene will assist on one of the following inspections.
 - (1) A pre-summer check in April of each year; and
 - (2) A fall check in October of each year.
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Recreation Coordinator. The Recreation Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Recreation Coordinator and forwarded to the Administrator, the complaint and the resolution will be noted.
- D. The Administrator will provide an annual report to the Parks and Recreation Board on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

5. Enrollment

- A. Before a child may be enrolled, a parent/guardian must sign registration forms that contain:
- (1) Name, address, and telephone number of the child;
 - (2) Name and address of parents/guardian and telephone numbers during program hours;
 - (3) The names and telephone numbers of people to whom the child may be released;
 - (4) A statement of the child's special needs; and
 - (5) A signed liability waiver which also includes permission for field trips and emergency medical authorization.
 - (6) Signed acknowledgement of program code of conduct.

6. Suspected Abuse

Program employees will report suspected child abuse in accordance with the Texas Family Code. In a situation where an Employee is involved in an incident with a child that could be considered child abuse, the incident shall immediately be reported to the Recreation Division Manager. The Recreation Division Manager will immediately notify the Police Department and any other agency, as may be appropriate.

Staffing – Responsibilities and Training

1. Recreation Center Coordinators

- A. Qualifications
1. Recreation Coordinators will be full-time, professional employees of the City of Abilene Recreation Division
 2. Recreation Coordinators must meet the minimum education/experience requirements for employment with the City of Abilene to plan and implement recreation activities.
 3. Recreation Coordinators must be able to pass a background investigation, including testing for illegal substances.
 4. Coordinators must have a current certification in First Aid and Cardio Pulmonary Resuscitation (CPR)– Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
 5. Recreation Coordinators must complete City of Abilene mandatory training.

B. Job Functions

1. Recreation Coordinators are responsible for administering the Youth Programs daily operations in compliance with the Adopted Standards of Care.
2. Recreation Coordinators are responsible for hiring, supervising, and evaluating Recreation Specialist/Leaders.
3. Recreation Coordinators are responsible for planning, implementing, and evaluating programs.
4. Recreation Coordinators maintain supplies, equipment and all necessary documentation for the operation of the Youth Programs.
5. Recreation Coordinators must communicate with Parent(s) as necessary.
6. Recreation Coordinators know and follow all City of Abilene, Division, and Program Manual standards, policies and procedures that apply to Youth Programs.
7. Recreation Coordinators ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

2. Recreation Specialist/Recreation Leader

A. Qualifications

1. Recreation Specialist/Leaders may be full-time, part-time, or temporary employees of the City of Abilene Recreation Division.
2. Recreation Specialist/Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Recreation Specialist/Leaders must relate to children with courtesy, respect, tolerance, and patience.
4. Recreation Specialist must have a current certification in First Aid and Cardio Pulmonary Resuscitation (CPR)– Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
5. Recreation Specialist/Leaders must pass a background investigation, including testing for illegal substances.
6. Recreation Specialist/Leaders will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.

B. Job Functions

1. Recreation Specialist/Leaders will be responsible for providing participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
2. Recreation Specialist/Leaders will directly lead activities using a method that will provide opportunities for involvement of all participants on an equal basis.
3. Recreation Specialist/Leaders must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
4. Recreation Specialist/Leaders will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
5. Recreation Specialist/Leader must be with participants at all times while they are participating in the Program.
6. Recreation Specialist/Leaders ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

3. Playground Supervisor and/or Playground Aide

A. Qualifications

1. Playground Supervisor/Aides will be temporary employees of the City of Abilene Recreation Division.
2. Playground Supervisor/Aides should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Playground Supervisor/Aides must relate to children with courtesy, respect, tolerance, and patience.
4. Playground Supervisor/Aides must pass a background investigation, including testing for illegal substances.
5. Playground Supervisor/Aides will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.

B. Job Functions

1. Playground Supervisor/Aides will assist in leading activities using a method that will provide opportunities for involvement of all participants on an equal basis.
2. Playground Supervisor/Aides must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
3. Playground Supervisor/Aides will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
4. Playground Supervisor/Aides will be responsible for picking up the areas used by their group after each activity.
5. Playground Supervisor/Aides must be with participants at all times while they are participating in the Program.
6. Playground Supervisor/Aides ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

4. Training/Orientation

- A. The Division is responsible for providing training and orientation to Program employees in working with children and for specific job responsibilities.
- B. Program employees must be competent with the Standards of Care for Youth Program operation as adopted.
- C. Program employees must be competent with the Program's policies, including discipline, guidance, and release of participants as outlined in the Summer Playground Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, Division and Program policies and procedures; provision of recreation activities; safety issues; and organization.
- F. Program employees will be electronically tested annually over program manuals and Standards of Care.

Operations

1. Staff-Participant Ratio

- A. The City of Abilene Youth Programs, the minimum employee to participant ratio will be 1 to 20 for participants from ages 6-13.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.

2. Notification

- A. Parents must be notified immediately when Program employees are aware of the following:
 - (1) Participant is injured; or
 - (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, and/or illness).
- B. All parents must be notified if there is an outbreak of any communicable disease. The disease will be reported to the Abilene Taylor County Public Health District.

3. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner, based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment. Examples include, but not limited to:
 - 1. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing child(ren) to assume an uncomfortable position.
 - 2. Restraining movement by tying, enclosing in a confined space, shaking, or using exercise as punishment.
 - 3. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a child.
 - 4. Giving any child the authority to punish another child.
 - 5. Placing a child out of visual/hearing range, in the dark, or in an unventilated area.
 - 6. Punishing a child for a toileting accident.
 - 7. Taunting a child by mocking or any other form of jeering.
 - 8. Giving preferential attention to any child over another child.

- C. Program employees may use brief, supervised separation from the activity if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parents of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident.
 - 1. A sufficient number and/or severe nature of discipline report(s), as detailed by the Disciplinary Policy in the Program and Operations Manuals, may result in a Participant being suspended from the Youth Program immediately. If a Participant is suspended from the program, an Authorized Person must pick up the Participant.
 - 2. Participants will be removed from the Program Site as soon as possible in instances of danger to other Participants or Program Staff. This includes, but is not limited to, continuous disruption of the Youth Program, inappropriate sexual behavior, bullying, hitting or biting other Participants or Program Staff and damage to any City property.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended and/or expelled from the Program.
- F. In instances where there is a danger to other participants or staff, offending participants will be removed from the Program site as soon as possible.
- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site will be subject to ejection from the site and possible arrest and legal action.

4. Programming

- A. Program employees will provide activities for each group according to the participants' ages, interests, and abilities. The activities will be appropriate to participants' health, safety, and well-being. The activities also will be flexible and designed to promote the participants' emotional, social, and mental growth.
- B. Program employees will provide indoor and outdoor time periods to include:
 - (1) Alternating active and passive activities;
 - (2) Opportunity for individual and group activities; and
 - (3) Outdoor time each day that weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program. Participants must be counted before leaving the Program Site and before boarding the transportation to return to the Program Site.

- (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
- (2) Program employees will have transportation cards of the participants in the group and must check the roll frequently.
- (3) Program employees should have First-Aid supplies and a guide to First-Aid and emergency care available on field trips.
- (4) Notice of any field trips will be displayed at a prominent location at each Program site.

5. Communication

- A. Each Program site will have access to a telephone for use in contacting the Recreation Center or making emergency calls.
- B. The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - (1) Ambulance or emergency medical services.
 - (2) City of Abilene Police Department.
 - (3) City of Abilene Fire Department.
 - (4) Poison control.
 - (5) The telephone number for the site itself.

6. Transportation

- A. First-Aid supplies and a First-Aid emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a portable fire extinguisher located in the passenger compartment of the vehicle which will be accessible to the adult occupants.

Facility Standards

1. Safety

- A. Program employees will inspect Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies should be safe for the participants use.

- D. Program employees should have First-Aid supplies available at each site, during transportation and for the duration of any off-site activity.
- E. Program employees should have first-aid supplies readily available to staff in a designated location. Program employees should have an immediately accessible guide to First-Aid and emergency care.
- F. Program air conditioners, electric fans, and heaters should be mounted out of participants reach or have safeguards that keep participants from being injured.

2. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employee's first priority is to evacuate the participants to a designated safe area.
- B. The Program site will have an annual fire inspection by the City of Abilene Fire Department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Administrator who will review and establish deadlines and criteria for compliance.
- C. Each Program site must have at least one (1) fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Recreation Center Coordinator. All of the City of Abilene Youth Program employees will be trained in the proper use of fire extinguishers.

3. Health

- A. Illness or Injury
 - (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
 - (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees. Emergency responders will be notified in the event of an injury that cannot be remedied through basic first aid. An accident report shall be completed and forwarded to the Recreation Supervisor.
 - (3) An ill Youth will not be allowed to attend or participate if the Youth is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until a medical evaluation indicating that the Youth can return to the Youth Program.
 - (4) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.

- (5) Program employees will follow the recommendation of the Texas Department of State Health Services concerning the admission or readmission of any participant after a communicable disease.

C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and Program employees can supervise as needed.
- (2) There must be at least one flush toilet for every thirty (30) children. Urinals may be counted in the ratio of toilets to children but must not exceed fifty percent (50%) of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water, meeting the standards of the Texas Department of State Health Services for drinking water, and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from Program sites daily.
- (4). The Program site will have an annual health inspection by the City of Abilene Health Department, and the resulting report will detail any health concerns observed. The report will be kept on file at the center. Information from this report will be included in the Director's annual report to the City Council.

4. Participants

- A. All participants must wear tennis shoes daily, unless the Youth is in the swimming pool or participating in an activity that requires no shoes to be worn.
- B. Youth must respect the Employees, Program Site, and each other.

City of Abilene Recreation Division



Standards of Care for Youth Programs 2021

~~Community Services~~ Parks and Recreation Office

633 Walnut Street
Abilene, TX 79601
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 - (6) Signed acknowledgement of program code of conduct.

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Program employees will report suspected child abuse in accordance with the Texas Family Code. In a situation where an Employee is involved in an incident with a child that could be considered child abuse, the incident shall immediately be reported to the Recreation Division Manager. The Recreation Division Manager will immediately notify the Police Department and any other agency, as may be appropriate.

Staffing – Responsibilities and Training

1. Recreation Center Coordinators

- A. Qualifications
1. Recreation Coordinators will be full-time, professional employees of the City of Abilene Recreation Division
 2. Recreation Coordinators must meet the minimum education/experience requirements for employment with the City of Abilene to plan and implement recreation activities.
 3. Recreation Coordinators must be able to pass a background investigation, including testing for illegal substances.
 4. Coordinators must have a current certification in First Aid and Cardio Pulmonary Resuscitation (CPR)– Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
 5. Recreation Coordinators must complete City of Abilene mandatory training.

B. Job Functions

1. Recreation Coordinators are responsible for administering the Youth Programs daily operations in compliance with the Adopted Standards of Care.
2. Recreation Coordinators are responsible for hiring, supervising, and evaluating Recreation Specialist/Leaders.
3. Recreation Coordinators are responsible for planning, implementing, and evaluating programs.
4. Recreation Coordinators maintain supplies, equipment and all necessary documentation for the operation of the Youth Programs.
5. Recreation Coordinators must communicate with Parent(s) as necessary.
6. Recreation Coordinators know and follow all City of Abilene, Division, and Program Manual standards, policies and procedures that apply to Youth Programs.
7. Recreation Coordinators ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

2. Recreation Specialist/Recreation Leader

A. Qualifications

1. Recreation Specialist/Leaders may be full-time, part-time, or temporary employees of the City of Abilene Recreation Division.
2. Recreation Specialist/Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Recreation Specialist/Leaders must relate to children with courtesy, respect, tolerance, and patience.
4. Recreation Specialist must have a current certification in First Aid and Cardio Pulmonary Resuscitation (CPR)– Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
5. Recreation Specialist/Leaders must pass a background investigation, including testing for illegal substances.
6. Recreation Specialist/Leaders will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.

B. Job Functions

1. Recreation Specialist/Leaders will be responsible for providing participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
2. Recreation Specialist/Leaders will directly lead activities using a method that will provide opportunities for involvement of all participants on an equal basis.
3. Recreation Specialist/Leaders must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
4. Recreation Specialist/Leaders will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
5. Recreation Specialist/Leader must be with participants at all times while they are participating in the Program.
6. Recreation Specialist/Leaders ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

3. Playground Supervisor and/or Playground Aide

A. Qualifications

1. Playground Supervisor/Aides will be temporary employees of the City of Abilene Recreation Division.
2. Playground Supervisor/Aides should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Playground Supervisor/Aides must relate to children with courtesy, respect, tolerance, and patience.
4. Playground Supervisor/Aides must pass a background investigation, including testing for illegal substances.
5. Playground Supervisor/Aides will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.

B. Job Functions

1. Playground Supervisor/Aides will assist in leading activities using a method that will provide opportunities for involvement of all participants on an equal basis.
2. Playground Supervisor/Aides must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
3. Playground Supervisor/Aides will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
4. Playground Supervisor/Aides will be responsible for picking up the areas used by their group after each activity.
5. Playground Supervisor/Aides must be with participants at all times while they are participating in the Program.
6. Playground Supervisor/Aides ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

4. Training/Orientation

- A. The Division is responsible for providing training and orientation to Program employees in working with children and for specific job responsibilities.
- B. Program employees must be competent with the Standards of Care for Youth Program operation as adopted.
- C. Program employees must be competent with the Program's policies, including discipline, guidance, and release of participants as outlined in the Summer Playground Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, Division and Program policies and procedures; provision of recreation activities; safety issues; and organization.
- F. Program employees will be electronically tested annually over program manuals and Standards of Care.

Operations

1. Staff-Participant Ratio

- A. The City of Abilene Youth Programs, the minimum employee to participant ratio will be 1 to 20 for participants from ages 6-13.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.

2. Notification

- A. Parents must be notified immediately when Program employees are aware of the following:
 - (1) Participant is injured; or
 - (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, and/or illness).
- B. All parents must be notified if there is an outbreak of any communicable disease. The disease will be reported to the Abilene Taylor County Public Health District.

3. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner, based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment. Examples include, but not limited to:
 - 1. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing child(ren) to assume an uncomfortable position.
 - 2. Restraining movement by tying, enclosing in a confined space, shaking, or using exercise as punishment.
 - 3. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a child.
 - 4. Giving any child the authority to punish another child.
 - 5. Placing a child out of visual/hearing range, in the dark, or in an unventilated area.
 - 6. Punishing a child for a toileting accident.
 - 7. Taunting a child by mocking or any other form of jeering.
 - 8. Giving preferential attention to any child over another child.

- C. Program employees may use brief, supervised separation from the activity if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parents of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident.
 - 1. A sufficient number and/or severe nature of discipline report(s), as detailed by the Disciplinary Policy in the Program and Operations Manuals, may result in a Participant being suspended from the Youth Program immediately. If a Participant is suspended from the program, an Authorized Person must pick up the Participant.
 - 2. Participants will be removed from the Program Site as soon as possible in instances of danger to other Participants or Program Staff. This includes, but is not limited to, continuous disruption of the Youth Program, inappropriate sexual behavior, bullying, hitting or biting other Participants or Program Staff and damage to any City property.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended and/or expelled from the Program.
- F. In instances where there is a danger to other participants or staff, offending participants will be removed from the Program site as soon as possible.
- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site will be subject to ejection from the site and possible arrest and legal action.

4. Programming

- A. Program employees will provide activities for each group according to the participants' ages, interests, and abilities. The activities will be appropriate to participants' health, safety, and well-being. The activities also will be flexible and designed to promote the participants' emotional, social, and mental growth.
- B. Program employees will provide indoor and outdoor time periods to include:
 - (1) Alternating active and passive activities;
 - (2) Opportunity for individual and group activities; and
 - (3) Outdoor time each day that weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program. Participants must be counted before leaving the Program Site and before boarding the transportation to return to the Program Site.

- (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
- (2) Program employees will have transportation cards of the participants in the group and must check the roll frequently.
- (3) Program employees should have First-Aid supplies and a guide to First-Aid and emergency care available on field trips.
- (4) Notice of any field trips will be displayed at a prominent location at each Program site.

5. Communication

- A. Each Program site will have access to a telephone for use in contacting the Recreation Center or making emergency calls.
- B. The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - (1) Ambulance or emergency medical services.
 - (2) City of Abilene Police Department.
 - (3) City of Abilene Fire Department.
 - (4) Poison control.
 - (5) The telephone number for the site itself.

6. Transportation

- A. First-Aid supplies and a First-Aid emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a portable fire extinguisher located in the passenger compartment of the vehicle which will be accessible to the adult occupants.

Facility Standards

1. Safety

- A. Program employees will inspect Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.

- C. Program equipment and supplies should be safe for the participants use.
- D. Program employees should have First-Aid supplies available at each site, during transportation and for the duration of any off-site activity.
- E. Program employees should have first-aid supplies readily available to staff in a designated location. Program employees should have an immediately accessible guide to First-Aid and emergency care.
- F. Program air conditioners, electric fans, and heaters should be mounted out of participants reach or have safeguards that keep participants from being injured.

2. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employee's first priority is to evacuate the participants to a designated safe area.
- B. The Program site will have an annual fire inspection by the City of Abilene Fire Department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Administrator who will review and establish deadlines and criteria for compliance.
- C. Each Program site must have at least one (1) fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Recreation Center Coordinator. All of the City of Abilene Youth Program employees will be trained in the proper use of fire extinguishers.

3. Health

- A. Illness or Injury
 - (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
 - (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees. Emergency responders will be notified in the event of an injury that cannot be remedied through basic first aid. An accident report shall be completed and forwarded to the Recreation Supervisor.
 - (3) An ill Youth will not be allowed to attend or participate if the Youth is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until a medical evaluation indicating that the Youth can return to the Youth Program.

- (4) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
- (5) Program employees will follow the recommendation of the Texas Department of State Health Services concerning the admission or readmission of any participant after a communicable disease.

C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and Program employees can supervise as needed.
- (2) There must be at least one flush toilet for every thirty (30) children. Urinals may be counted in the ratio of toilets to children but must not exceed fifty percent (50%) of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water, meeting the standards of the Texas Department of State Health Services for drinking water, and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from Program sites daily.
- (4). The Program site will have an annual health inspection by the City of Abilene Health Department, and the resulting report will detail any health concerns observed. The report will be kept on file at the center. Information from this report will be included in the Director's annual report to the City Council.

4. Participants

- A. All participants must wear tennis shoes daily, unless the Youth is in the swimming pool or participating in an activity that requires no shoes to be worn.
- B. Youth must respect the Employees, Program Site, and each other.



**City of San Angelo
Parks & Recreation Department
702 South Chadbourne
San Angelo, Texas 76903
(325) 657-4279/4450**

October 27, 2021

Ann Hall
Division Manager
City of Abilene Parks & Recreation
633 Walnut St.
Abilene, TX 79601

On Wednesday, October 27, 2021, I came to visit your recreation centers: Daniels, Chavez (previously Sears), Cobb, and Rose. I am pleased to report that all of the centers not only met the standards of care and operation expected of municipal recreations, they again exceeded them. Well done!

Although the centers are all older, they are well maintained and cared for. They are equipped with adequate furnishings and resources to run them. Required communications postings for emergencies were all present and readily found. All fire extinguishers were present and well-charged with no inspections out of date. Safety equipment was present as required as well. The best asset of all at the recreation centers were the staff. They are all knowledgeable and clearly have the passion for the work that they do.

I inspected your centers last year and made some notes of items that should be considered for correction. I was very pleased, as I inspected this year, to see several of my recommendations implemented. I sincerely thank you for this.

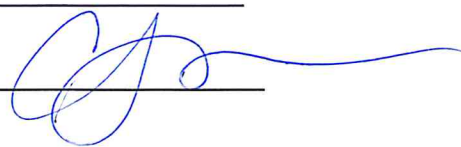
Attached are my inspection sheets with a few notes of items that should be considered. Thank you for the opportunity to come see your centers.

Carl White
Parks and Recreation Director
City of San Angelo, Texas
325-657-4279
Carl.white@cosatx.us

Standards of Care Review

Recreation Center: G.V. Daniel Recreation Center

Date: October 27, 2021 Inspector: Carl White



SAFETY	Yes	No
First Aid kit stocked with Band-Aids and other essential items	✓	
First Aid kit readily accessible in designated area	✓	
Center Coordinators: CPR/First Aid Certified	✓	

Comments: all good to go!

FIRE	Yes	No
At least one fire extinguisher	✓	
Fire Extinguishers were current	✓	
Fire Extinguishers locations were labeled	✓	
Emergency Exit <u>may</u> posted	✓	

Comments:

one exit door with exit light (seniors area) did not have panic bar hardware

COMMUNICATION	Yes	No
Emergency Contact Numbers Posted	✓	
EMS or Ambulance contact information posted	✓	
Police Department contact information posted	✓	
Fire Department contact information posted	✓	
Poison Control contact information posted	✓	
Recreation Center contact information posted	✓	

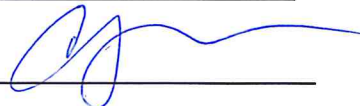
Comments:

Outside: poured in place fall zone area at playground showing some wear.
Repair patch needed below slide exit.

Other: Staff is well aware of the roof leaks, in more than a few locations.
Hopefully repairs, or a new roof can be accomplished to prevent further damage indoors.

Standards of Care Review

Recreation Center: Cesar Chavez (previously, Sears)

Date: October 27, 2021 Inspector: Carl White 

SAFETY	Yes	No
First Aid kit stocked with Band-Aids and other essential items	☒	
First Aid kit readily accessible in designated area	☒	
Center Coordinators: CPR/First Aid Certified	☒	

Comments:

FIRE	Yes	No
At least one fire extinguisher	☒	
Fire Extinguishers were current	☒	
Fire Extinguishers locations were labeled	☒	
Emergency Exit may posted	☒	

Comments:

check senior activity room exits - Both used but do not have lit exit signs
(main room area more of a concern than smaller room. Check if needed.)

COMMUNICATION	Yes	No
Emergency Contact Numbers Posted	☒	
EMS or Ambulance contact information posted	☒	
Police Department contact information posted	☒	
Fire Department contact information posted	☒	
Poison Control contact information posted	☒	
Recreation Center contact information posted	☒	

Comments:

Outside: blocking voluntary plant material near entrance removed at request
exposed electrical line noted at last year's inspection at the rear of the building corrected. +++

Standards of Care Review

Recreation Center: Cobb

Date: October 27, 2021 Inspector: Carl White

SAFETY	Yes	No
First Aid kit stocked with Band-Aids and other essential items	☒	
First Aid kit readily accessible in designated area	☒	
Center Coordinators: CPR/First Aid Certified	☒	

Comments:

location of first aid kits made more visible (than were at last year's inspection) + + +

FIRE	Yes	No
At least one fire extinguisher	☒	
Fire Extinguishers were current	☒	
Fire Extinguishers locations were labeled	☒	
Emergency Exit map posted	☒	

Comments:

COMMUNICATION	Yes	No
Emergency Contact Numbers Posted	☒	
EMS or Ambulance contact information posted	☒	
Police Department contact information posted	☒	
Fire Department contact information posted	☒	
Poison Control contact information posted	☒	
Recreation Center contact information posted	☒	

Comments:

Outside: recommend adding a pathway around the park

Special note: staff are very knowledgeable and courteous!

Standards of Care Review

Recreation Center: Rose

Date: October 27, 2021 Inspector: Carl White

SAFETY	Yes	No
First Aid kit stocked with Band-Aids and other essential items	✓	
First Aid kit readily accessible in designated area	✓	
Center Coordinators: CPR/First Aid Certified	✓	

Comments:

Make sure staff know where all fire extinguishers are -

FIRE	Yes	No
At least one fire extinguisher	✓	
Fire Extinguishers were current	✓	
Fire Extinguishers locations were labeled	✓	
Emergency Exit map posted	✓	

Comments:

COMMUNICATION	Yes	No
Emergency Contact Numbers Posted	✓	
EMS or Ambulance contact information posted	✓	
Police Department contact information posted	✓	
Fire Department contact information posted	✓	
Poison Control contact information posted	✓	
Recreation Center contact information posted	✓	

Comments:

outside : noted drop in elevation (an inch or 1 1/2 inches) from both entrance and exit doors (may need to mark and/or add signage)

Staff is very courteous!

2022 Standards of Care



Standards of Care

- Summer Camp and After School Programs are open to ages 6 to 13.
- Parents are provided with a copy of the document and it is posted www.abilenetx.gov/camps.
- The Standards of Care are intended to be minimum standards by which the City of Abilene will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not licensed by the state of Texas as certified day care programs.



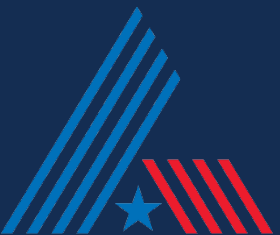
Basic Requirements

- Adequate and readily available first aid kits.
- Full time staff must be current certified in CPR and First Aid.
- Current fire extinguisher and properly labeled and emergency exits signs are posted.
- Posting of emergency contact including fire, police, poison control, and contact information for Recreation Center.
- Defines job titles, qualifications, and responsibilities.
- Outlines the ratio (Abilene is 20 children per 1 staff).



Standards of Care

- Parks and Recreation perform an internal inspection annually.
- Environmental Health and Fire Department conducts an annual inspection.
- We also have an outside Parks and Recreation professional perform a review. This was done on October 27th, by Carl White, Parks and Recreation Director for the City of San Angelo.



Standards of Care

Steps in the adoption:

- Approval by Parks and Recreation Board – Approved November 16, 2021
- First Reading by City Council – December 2, 2021
- Public Hearing and vote by City Council – December 17, 2021

Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Robert Hanna, City Manager

FROM: Mike Rains, Finance Director

SUBJECT: **13. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Fiscal Year 2021-22 Budgets (*Mike Rains*)**

GENERAL INFORMATION

Council approved the Fiscal Year 2021-22 budgets on August 12, 2021 and amended them on October 14, 2021. Staff is proposing an amendment to these budgets due to a timing change in a purchase.

The fiscal year 2021 budget included grant funding and expenditure of funds for two 32 foot bus purchases for the Abilene Transit System. Due to delays in obtaining approval from the Federal Transit Authority, these purchases were unable to be made in fiscal year 2021. Staff is requesting to include the grant funding and related expenditure in the fiscal year 2022 budget for the Transit System Fund.

Council has previously approved the purchase of the buses on October 28, 2021 with Resolution No. 176-2021. Once the budgets are amended, staff can move forward with the purchase.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Total revenues and expenditures will increase by \$912,820 and will have a net effect to fund balance of \$0.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Ordinance-Revised Budget 2022-2
2. Powerpoint - Ordinance Amending the FY 2021-22 Budgets

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 December 17th, 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 8:30 A.M., on the 17th of December, 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 12th of December 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 2nd day of December, 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
17th day of December, A.D. 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

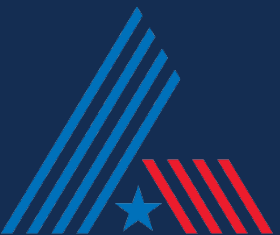
All Operating Funds	Adopted 2021-2022	Amended 2021-2022
Fund Balance Beginning	\$76,847,065	\$76,847,065
Total Revenue	285,588,249	286,501,069
Total Expenditures	291,154,850	292,067,670
Fund Balance Ending	\$71,280,464	\$71,280,464

Ordinance & Public Hearing Amending the FY 2021-22 Budgets



Ordinance & Public Hearing – Amending the FY 2021-22 Budgets

- Staff is proposing a budget amendment to the FY 2021-22 budget due to a change occurring since the latest budget amendment on October 14, 2021.
 - During fiscal year 2021 the Abilene Transit System Fund had funds budgeted to purchase two 32' buses. Due to delays in getting approval from the Federal Transit Authority this purchase was unable to be made during 2021.
 - Council has previously approved the purchase of the buses on October 28, 2021 with Resolution No. 176-2021, however, funds are not budgeted in the Transit System Fund's FY 2021-22 budget for the purchase.
 - Staff would like to increase the Transit System Fund's budget to include the grant revenue and related bus purchase in fiscal year 2022 .

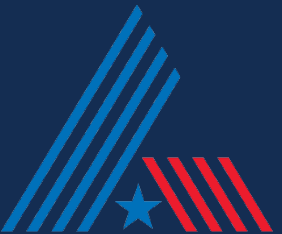


Ordinance & Public Hearing – Amending the FY 2021-22 Budgets

	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
Total All Funds as approved on October 14, 2021	\$76,847,065	\$285,588,249	\$291,154,850	\$71,280,464
Transit grant for bus purchases		912,820	912,820	0
Total All Funds - Revised	\$76,847,065	\$286,501,069	\$292,067,670	\$71,280,464



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: 14. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Creation of a Reinvestment Zone No. RZ21-1 being approximately 875 acres in Taylor County, Texas (Robert Hanna)

GENERAL INFORMATION

The City Council adopted Resolution No 2-1988 on January 28, 1988 declaring that the City of Abilene elects to become eligible to participate in Tax Abatements in accordance with the Property Redevelopment and Tax Abatement Act. The City Council recently adopted Tax Abatement Guidelines and Criteria at their November 4, 2021 Regular Meeting.

The boundaries of the area to be known as City of Abilene Reinvestment Zone No. RZ21-1 shall be the area of land described on the document attached to the Ordinance as Exhibit "A", which contains approximately 875 acres of land in Taylor County, Texas, and which land is contiguous to the city limits of the City of Abilene and located within the City's extraterritorial jurisdiction.

The creation of the City of Abilene Reinvestment Zone RZ21-1 will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical.

The Reinvestment Zone No. RZ21-1 meets the criteria for the creation of a Reinvestment Zone as set forth in Texas Tax Code Chapter 312, Subchapters A & B in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the Reinvestment Zone that would benefit the property and that would contribute to the economic development of the City.

The City of Abilene Reinvestment Zone RZ21-1, as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement as set forth in the City of Abilene Resolution No. 201-2021.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the Ordinance creating Reinvestment Zone RZ21-001.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Reinvestment Zone No. RZ21-1 Ordinance
2. Exhibit A
3. Reinvestment Zone No. RZ21-1

AN ORDINANCE DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. RZ21-1 FOR COMMERCIAL AND INDUSTRIAL TAX ABATEMENT, PURSUANT TO THE TEXAS TAX CODE CHAPTER 312, SUBCHAPTER A&B, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS PERTAINING THERETO; PROVIDING A SEVERANCE CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FINDING THAT THE MEETING AT WHICH THE THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC.

WHEREAS, City Council has adopted Resolution No 2-1988 on January 28, 1988 declaring that the City of Abilene elects to become eligible to participate in Tax Abatements in accordance with the Property Redevelopment and Tax Abatement Act; and

WHEREAS, City Council most recently adopted Tax Abatement Guidelines and Criteria at their November 18, 2021 Regular Meeting; and,

WHEREAS, a public hearing, in a regularly scheduled meeting before the City Council, was held on December 17, 2021, such date being at least seven (7) days after the date of publication of the notice of such public hearing as required by the Texas Tax Code; and,

WHEREAS, the written notice of the public hearing was delivered to the presiding officer of the governing body of each taxing unit located within the proposed Reinvestment Zone at least seven (7) days before the date of the public hearing; and,

WHEREAS, the City, at such hearing invited all interested person, or their counsel, to appear and speak for or against the creation of the proposed Reinvestment Zone, the boundaries of the proposed Reinvestment Zone, and whether all or part of the property described in this ordinance should be included in such proposed Reinvestment Zone; and,

WHEREAS, all interested persons were given the opportunity to be heard; and,

WHEREAS, the area designated meets the statutory requirement that, it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality, and/or meets other criteria that satisfies State law for the establishment of a reinvestment zone.

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

PART 1: That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and adopted as findings of fact by this body and as part of its official record.

PART 2: That the City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the testimony and evidence presented to it:

- (a) That a public hearing on the designation of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing was published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zone; and

- (b) That the boundaries of the area to be known as City of Abilene Reinvestment Zone No. RZ21-1 shall be the area of land described on the document attached hereto as Exhibit “A”, which is incorporated herein for all purposes; and
- (c) That the creation of the City of Abilene Reinvestment Zone RZ21-1 with boundaries as described in (b) above, will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical; and
- (d) That the Reinvestment Zone as described in (b) above meets the criteria for the creation of a Reinvestment Zone as set forth in Texas Tax Code Chapter 312, Subchapters A & B in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the Reinvestment Zone that would benefit the property and that would contribute to the economic development of the City; and
- (e) That the City of Abilene Reinvestment Zone RZ21-1, as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement as set forth in the City of Abilene Resolution No. 201-2021.

PART 3: That pursuant to Texas Tax Code Chapter 312, Subchapter B, the City hereby creates a Reinvestment Zone for commercial and industrial tax abatement encompassing the area described by the legal description in Section 2(b) above and such Reinvestment Zone is hereby designated and shall hereafter be designated City of Abilene Reinvestment Zone No RZ21-01 for a period of five (5) years, subject to renewal as allowed by law.

PART 4: Publishing and Effective Date. That the establishment of the City of Abilene Reinvestment Zone No. RZ21-1 shall take effect on the date of final passage of this Ordinance.

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 hereby repealed to the extent of any conflict.

PART 6: Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Abilene, Texas, in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

PASSED ON FIRST READING this 2nd day of December, 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 December, 2021, the same being seven (7) or more days prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 17th day of December, 2021, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 17th day of December, 2021.

ATTEST:

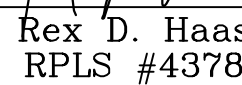
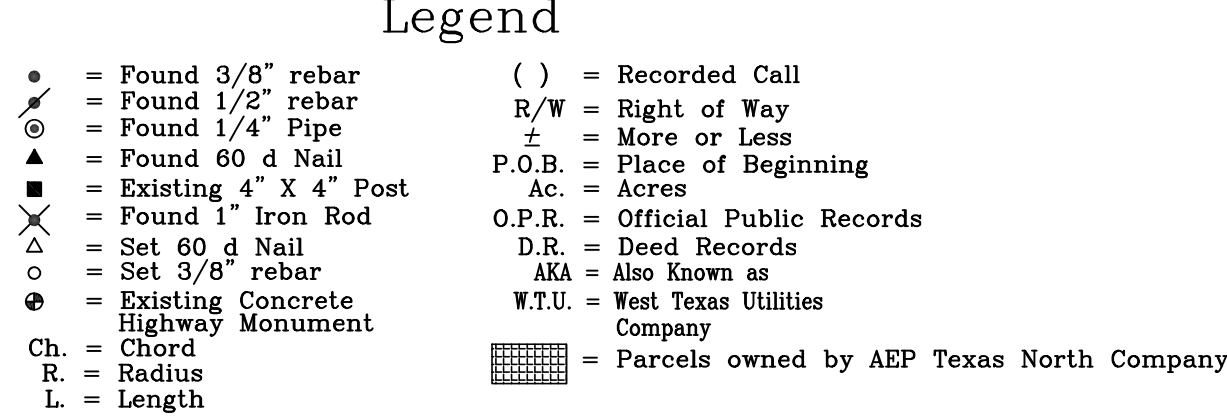
Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

EXHIBIT "A"
BOUNDARIES AND LEGAL DESCRIPTION OF
CITY OF ABILENE, TEXAS REINVESTMENT ZONE NO. RZ21-1



FIELD NOTES
92.38 ACRES
TRACT ONE

BEING 92.38 acres out of Section 23, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 92.38 acres being part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a point in Summerhill Road for the northeast corner of this tract, whence the northeast corner of said Section 23 bears N77°32'20"E 520.0 feet;

THENCE S12°20'57"E at 35.0 feet pass a 3/8" rebar found on the south side of Summerhill Road and continue along for a total distance of 2596.98 feet to a 3/8" rebar found for the southeast corner of this tract;

THENCE S77°32'20"W 2815.52 feet to a 3/8" rebar found for the southwest corner of this tract;

THENCE N12°03'W 902.91 feet to a 3/8" rebar found for the most westerly northwest corner of this tract;

THENCE N77°32'20"E 1164.98 feet to a 3/8" rebar found for an interior corner of this tract;

THENCE N12°27'42"W 498.05 feet to a 3/8" rebar found for an interior corner of this tract;

THENCE N77°32'20"E 1092.61 feet to a 3/8" rebar found for an interior corner of this tract;

THENCE N12°27'40"W at 1162.61 feet pass a 3/8" rebar found on the south side of Summerhill Road and continue along for a total distance of 1196.04 feet to a point in said road on the NBL of said Section 23 for the most northerly northwest corner of this tract;

THENCE N77°32'20"E 556.53 feet along Summerhill Road and the NBL of said Section 23 to the place of beginning and containing 92.38 acres of land.

Surveyed on the ground during the month of November, 2020.

SEE ATTACHED PLAT

Geotex Property Solutions
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
(325) 677-6712
File # 374-75-20-92.38ac Tract One
Firm Registration No. 10194134

Rex D. Haas
R. P. L. S. #4378

FIELD NOTES
285.90 ACRES
TRACT TWO

BEING 285.90 acres out of Sections 53 and 54, Block 16, T.& P. RR. Company Surveys, Taylor County, Texas, said 285.90 acres being part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the southeast corner of said Section 54, the southeast corner of said 1042.26 acre tract and the northeast corner of an 18.33 acre tract recorded in Volume 1557, Page 777, Official Public Records, Taylor County, Texas for the southeast corner of this tract;

THENCE N88°48'52"W 4661.40 feet along the SBL of said 1042.26 acre tract to a 3/8" rebar found on the EBL of a 3.91 acre tract recorded as Second Tract in Volume 511, Page 371, Deed Records, Taylor County, Texas at the northwest corner of Section 24, W.W. Sills Survey, Taylor County, Texas and the northwest corner of said 18.33 acre tract for the most southerly southwest corner of this tract;

THENCE N1°28'E 150.0 feet to a 1/2" rebar found at the northeast corner of said 3.91 acre tract and the east corner of a 0.334 acre tract recorded in Volume 3072, Page 223, Official Public Records, Taylor County, Texas for an interior corner of this tract;

THENCE N88°55'25"W 158.79 feet to a 3/8" rebar set on the NBL of said 0.334 acre tract for most westerly southwest corner of this tract;

THENCE N52°32'42"W 1742.90 feet to a 3/8" rebar set on the SBL of a 16.14 acre tract recorded in Instrument No. 2016-12702, Official Public Records, Taylor County, Texas for the most westerly northwest corner of this tract;

THENCE N77°56'37"E 1910.50 feet to a 3/8" rebar found on the EBL of said Section 53 and the WBL of said Section 54 for an interior corner of this tract;

THENCE N12°47'37"W 920.86 feet to a 3/8" rebar found on the EBL of said Section 53 and the WBL of said Section 54 for an interior corner of this tract;

THENCE N77°08'36"E 1380.96 feet to a 3/8" rebar found for an interior corner of this tract;

THENCE N23°44'34"E 1003.12 feet to a 3/8" rebar found on the SBL of F.M. Highway 2404 (right-of-way Varies) for the most northerly northwest corner of this tract;

THENCE S65°27'18"E 155.02 feet along the SBL of F.M. Highway 2404 to a 3/8" rebar found at the northwest corner of a 4.02 acre tract (no deed found of record);

THENCE S23°44'34"W 3542.43 feet to a 3/8" rebar found at the southwest corner of a 2.07 acre, more or less, tract recorded as 1st Tract in Volume 826, Page 1, Deed Records, Taylor County, Texas;

THENCE S12°26'15"E 211.75 feet to a 3/8" rebar found at the southeast corner of said 2.07 acre, more or less, tract;

THENCE N23°44'34"E 1781.18 feet to a 3/8" rebar found on the EBL of a 4.25 acre, more or less, tract recorded as 2nd Tract in Volume 826, Page 1, Deed Records, Taylor County, Texas;

THENCE to 3/8" rebars found as follows:

N71°52'45"E 1960.50 feet;

N72°35'08"E 420.97 feet;

N65°37'46"E 57.23 feet;

N48°27'56"E 60.08 feet;

N36°51'E 68.07 feet;

THENCE N30°00'40"E 80.76 feet to a 3/8" rebar found on the SBL of F.M. Highway 2404;

THENCE S59°22'27"E 1032.68 feet along the SBL of F.M. Highway 2404 to a 3/8" rebar found on the EBL of said Section 54 for the northeast corner of this tract;

THENCE S0°36'51"W 2346.17 feet along the EBL of said Section 54 to the place of beginning and containing 285.90 acres of land.

Surveyed on the ground during the month of November, 2020.

SEE ATTACHED PLAT

Geotex Property Solutions
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
(325) 677-6712
File # 374-75-20-285.90ac T-2
Firm Registration No. 10194134

Rex D. Haas
R. P. L. S. #4378

FIELD NOTES
191.18 ACRES
TRACT THREE

BEING 191.18 acres out of Section 55, Block 16, T.& P. RR. Company Surveys, Taylor County, Texas, said 191.18 acres being part of a 222.18 acre tract recorded as Tract Two in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the northeast corner of said Section 55 and the northeast corner of said 222.18 acre tract for the northeast corner of this tract;

THENCE S0°40'23"W 2678.52 feet to a point on the NBL of Section 25, Robert Turner Survey, Taylor County, Texas at the most easterly southeast corner of said Section 55 and the most easterly southeast corner of said 212.18 acre tract for the most easterly southeast corner of this tract, whence a 3/8" rebar found bears S0°40'23"W 0.7 feet;

THENCE N88°59'W 1130.03 feet along the SBL of said Section 55 to a 3/8" rebar found at the northwest corner of said Section 25 for an interior corner of this tract;

THENCE S1°02'08"W 126.50 feet to a point in an ell corner of Spinks Road on the EBL of said Section 55 for the most southerly southeast corner of this tract, whence a 3/8" rebar found bears S52°48'E 18.9 feet;

THENCE N89°29'41"W 1222.50 feet to a point in Spinks Road at the southeast corner of a 31.0 acre tract recorded in Instrument No. 2020-1334, Official Public Records, Taylor County, Texas for the most southerly southwest corner of this tract;

THENCE North at 30 feet pass a 3/8" rebar found on the north side of Spinks Road and continue along for a total distance of 775.49 feet to a 3/8" rebar found at the northeast corner of said 31.0 acre tract for an interior corner of this tract;

THENCE N89°29'41"W at 1796.95 feet pass a 3/8" rebar found on the east side of Spinks Road and continue along for a total distance of 1827.75 feet to a point in said Road at the northwest corner of said 31.0 acre tract for the most westerly southwest corner of this tract;

THENCE N12°32'04"W 1059.02 feet along the WBL of said 212.18 acre tract to a 60-d nail found in Spinks Road for the northwest corner of said Section 55, the northwest corner of said 222.18 acre tract and the northwest corner of this tract;

THENCE N77°57'E along the NBL of said Section 55 and the NBL of said 222.18 acre tract at 16.7 feet pass a 3/8" rebar found on the east side of Spinks Road and continue along for a total distance of 4543.67 feet to the place of beginning and containing 191.18 acres of land.

Surveyed on the ground during the month of November, 2020.

SEE ATTACHED PLAT

Geotex Property Solutions
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
(325) 677-6712
File # 374-75-20-191.18ac T-3
Firm Registration No. 10194134

Rex D. Haas
R. P. L. S. #4378

FIELD NOTES
305.95 ACRES
TRACT FOUR

BEING 305.95 acres out of Section 24, W.W.SILLS Survey, Taylor County, Texas, said 305.95 acres being all of that same 305.95 acre tract recorded as Tract Three in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a point at the most easterly southeast corner of an 18.33 acre tract recorded in Volume 1557, Page 777, Official Public Records, Taylor County, Texas for the northeast corner of this tract, whence a 3/8" rebar bears N88°48'52"W 0.36 feet and a 1/2" rebar found on the NBL of said Section 24 at the southeast corner of Section 54, Block 16, T.& P. RR. Company Surveys, Taylor County, Texas bears N0°36'51"E 100.10 feet;

THENCE S0°36'51"W 2899.73 feet to a point on the SBL of said Section 24 for the southeast corner of this tract, whence a 1/4" pipe found bears S0°36'51"W 1.72 feet;

THENCE N88°59'W 4589.17 feet along the SBL of said Section 24 to a point at the most southerly southeast corner of said 18.33 acre tract for the southwest corner of this tract, whence a 3/8" rebar found bears S0°45'32"W 0.34 feet;

THENCE N0°45'32"E 2913.05 feet to a 3/8" rebar set for the northeast corner of this tract;

THENCE S88°48'52"E 4581.94 feet to the place of beginning and containing 305.95 acres of land.

Surveyed on the ground during the month of November, 2020.

SEE ATTACHED PLAT

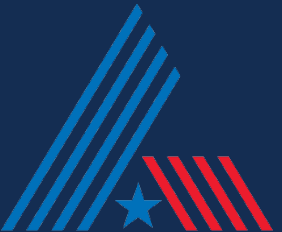
Geotex Property Solutions
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
(325) 677-6712
File # 347-63-19-305.95ac Tract 4
Firm Registration No. 10194134

Rex D. Haas
R. P. L. S. #4378

Ordinance creating Reinvestment Zone No. RZ21-1



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 15. 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. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
12. Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District, et al.; Cause No. P827783CV, in the 83rd Judicial District Court, Pecos County, Texas; filed September 11, 2020
13. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
14. Governor's Executive Orders COVID-19

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

1. 4810 S 3rd
2. 204 S San Jose Dr
3. 4674 S 3rd
4. 4809 S 3rd

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. Project Artemis

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None



**City Council
Agenda Memo**

City Council Meeting Date: 12/17/2021

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: 16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Consideration and Approval of Chapter 312 Tax Abatement Agreement(s) with Lancium, LLC in the Reinvestment Zone RZ20-01 located in Taylor County (Robert Hanna)

1. At the time of this notice, the name of the property owner is TXOK Investments, LLC, and it is anticipated that at the time of the approval of this Tax Abatement Agreement Rolling Plains EV Stations, LLC will be the property owner, and the applicant for the tax abatement agreement is Lancium, LLC.

2. The name of the reinvestment zone shall be the Reinvestment Zone No. RZ21-1 and the location is as follows:

A. TRACT ONE. Being 92.38 acres out of Section 23, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 92.38 acres being a part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

B. TRACT TWO. Being 285.90 acres out of Sections 53 and 54, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 285.90 acres being a part of a 1042.26 acre tract recorded as Tract One in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

C. TRACT THREE. Being 191.18 acres out of Section 55, Block 16, T. & P. RR. Company Surveys, Taylor County, Texas, said 191.18 acres being a part of a 222.18 acre tract recorded as Tract Two in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas; and

D. TRACT FOUR. Being 305.95 acres out of Section 24, W.W.SILLS Survey, Taylor County, Texas, said 305.95 acres being all of that same 305.95 acre tract recorded as Tract

Three in Instrument No. 2019-16436, Official Public Records, Taylor County, Texas.

3. The improvements to be included in the tax abatement agreement generally consist of an approximately 100,000 square foot permanent commercial building.

4. The estimated costs of the improvements are \$500,000,000.00.

GENERAL INFORMATION

Information will be provided at the meeting.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Tax Abatement Agreement

Resolution Approving Tax Abatement Agreement with Lancium, LLC in Reinvestment Zone No. RZ21-01



QUESTIONS?

