



## 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 April 14, 2022, at 8:30 a.m., at the Abilene Public Library, South Branch, Mall of Abilene, 4310 Buffalo Gap Road, 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 Lynn Beard

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

### PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. Proclamations:

- Public Safety Telecommunicators Week

### 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 March 24, 2022 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
  - Airport Development Board
  - Board of Building Standards
  - Street Maintenance Advisory & Appeals Board
  - West Central Texas Municipal Water District Board
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on authorizing a contract with Ace Pipe Cleaning Inc. for the Manhole Rehabilitation 2022 Project **(Rodney Taylor)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an agreement with Texas Department of Transportation for the Bridge Replacement on ES 7th Street at Cedar Creek **(Max Johnson)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to accept the bid from CanTex Roofing & Construction, LLC for the Adaptive Recreation Roof Project. **(Lesli Andrews)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the acceptance of the donated "Winnie" sculpture for placement on the Adamson Spalding Storybook Garden lawn of the Abilene Convention Center **(Lesli Andrews)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approval of Single-Family Rehabilitation/Reconstruction Program Project Budget with HOME Program Funds **(Tim Littlejohn)**
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Authorize the City Manager to Enter into a Mutual Aid Agreement between the City of Abilene and Taylor County, Texas **(Cande Flores)**
11. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Authorize the City Manager to Execute an Agreement with Daco Fire Equipment for the Purchase of LION Structural Firefighting Protective Gear for the Abilene Fire Department **(Cande Flores)**
12. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Lease Agreement with Capps Van & Truck Rental **(Don Green)**
13. **Resolution:** Receive a Report, Hold a Discussion and Take Action to authorize the purchase of four Type III Cutaway Vans from Creative Bus Sales Through the State of Oklahoma Statewide Contract **(Don Green)**
14. **Oral Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Updates to the City Council Rules of Procedure **(Stanley Smith)**
15. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19) **(Robert Hanna)**

16. **Report:** Receive a Report on the Final Results of the Initiative Petition Filed in the City Secretary's Office on February 22, 2022, and Supplement Filed on March 21, 2022, for the Sanctuary City for the Unborn **(Shawna Atkinson)**
17. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on an Ordinance Outlawing Abortion, Declaring Abilene a Sanctuary City for the Unborn, Making Various Provisions and Findings, Providing for Severability, and Establishing an Effective Date **(Robert Hanna)**

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

18. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with TearTex, LLC **(Max Johnson)**
19. **Ordinance (Final Reading) Z-2022-04:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Roberto Valez to change zoning from General Commercial (GC) to a Neighborhood Retail (NR) District on approximately .32 acres of now-vacant land located within the 3200 block of South 2nd street (north side) approximately 200 feet east from the intersection of S. Willis St. and S. 2nd Street. **(Tim Littlejohn)**
20. **Ordinance (Final Reading) Z-2022-05:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from JGN Properties LLC to change zoning from Heavy Industrial (HI) to a Heavy Commercial (HC) District within the 2600-2700 blocks of South Treadaway Boulevard (east side) and the 2700 block of Palm Street (west side) located at 2641 thru 2765 S. Treadaway Blvd and 2718 Palm Street. **(Tim Littlejohn)**
21. **Ordinance (Final Reading) Z-2022-06:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from FL20 Inc. (represented by Andrea and Aaron Robison) to change zoning from Agricultural Open Space (AO) to a General Commercial (GC) District at 5308 Hwy 277 South, located within the 5200-5300 blocks of Hwy 277 South (west side); approximately 900-feet northeast from the intersection of Health Center Drive and Hwy 277 South. **(Tim Littlejohn)**

#### **EXECUTIVE SESSION**

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

##### **A. 551.071 (Consultation with Attorney)**

1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
2. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
3. Chandler Brooks v. Taylor County, et al.; Civil Action No. 1:20-cv-00049, In the United States District Court, Northern District of Texas, Abilene Division; filed March 5, 2020
4. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
5. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
6. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
7. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
8. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446; filed September 15, 2020

9. 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
10. 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
11. 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
12. 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
13. James Easley v. City of Abilene, Appeal of Temporary Suspension to Hearing Examiner, filed September 22, 2021
14. Samuel Hightower v. City of Abilene, Appeal of Temporary Suspension to Hearing Examiner, filed December 28, 2021
15. Zach Williams v. City of Abilene, Appeal of Temporary Suspension to Hearing Examiner, filed December 28, 2021
16. Governor's Executive Orders - COVID-19

**B. 551.072 (Deliberations about Real Property)**

1. 610 ES 11th & S 7th (McPhail Property)

**C. 551.073 (Deliberations about Gifts and Donations)**

**D. 551.074 (Personnel Matters)**

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

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

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

1. Trail Ridge Subdivision

**RECONVENE**

**REGULAR AGENDA**

**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 8th day of April, 2022, at 12:40 p.m.*

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*Shawna Atkinson, TRMC, CMC*  
City Secretary