



City of Abilene City Council Agenda

Weldon Hurt, Mayor Pro-tem
Shane Price, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Kyle McAlister, 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 October 27, 2022, 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 Travis Craver

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

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.

2. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 13, 2022 **(Shawna Atkinson)**
3. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding the bid for the Second Pressure Plane Supply Phase 3 - Proposed Northwest Pump Station **(Rodney Taylor)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing a Professional Services Contract with Jacob & Martin, LLC for the Hwy 83 and FM3034 Water Line Relocation **(Rodney Taylor)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Revised Awarded Annual Street Services Division Materials Bid #CB-2261 **(Max Johnson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Change Order #1 for the Water Department Street And Miscellaneous Repair Work 2020-2021 Contract **(Max Johnson)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the 2023 Office of the Governor (OOG) Bullet Resistant Shield Grant **(Marcus Dudley)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Contract with Siddons-Martin Emergency Group, LLC for the Purchase of Fire Apparatus **(Cande Flores)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of Four (4) 2022 Chevrolet Tahoe Police Patrol Vehicle Units from Caldwell Country Chevrolet Through Buyboard Quote #601-19 **(Don Green)**
10. **Ordinance (First Reading) Z-2022-22:** Receive a Report, Hold a Discussion, and Take Action on a request from AEI Properties LLC, Represented by Corder Norris, to Change the Zoning of Approximately 3.57 Acres from Medical Use (MU) to General Commercial (GC). **(Tim Littlejohn)**
11. **Ordinance (First Reading) Z-2022-23:** Receive a Report, Hold a Discussion , and Take Action on a Request from Fuad Hamed to Change the Zoning of Approximately .843 Acres from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF). **(Tim Littlejohn)**
12. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Approving Tax Increment Reinvestment Zone (TIRZ) #3 **(Robert Hanna)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Marigold Street Paving Improvements Bid No.# 2301 to Epic Construction Co. **(Max Johnson)**

EXECUTIVE SESSION

14. **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. 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
4. 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

5. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020

6. 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

7. 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

8. 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

9. 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

10. Allstate Fire and Casualty Insurance Company as Subrogee of Del Davis v. City of Abilene; Case No. SC22-11166J11, In the Justice Court, Precinct 1, Place 1, Taylor County, Texas, filed March 30, 2022

11. Brendan Cordle v. City of Abilene; Cause No. SC22-22974J12, In the Small Claims Court, Precinct 1, Place 2, Taylor County, Texas, filed August 29, 2022

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

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

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Rainey Creek 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 21st day of October, 2022, at 3:35 p.m.

Kaitlin Richardson, TRMC
Deputy City Secretary



**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Honorable Mayor & Members of City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 13, 2022
(*Shawna Atkinson*)

GENERAL INFORMATION

Approval of the Minutes from the Regular meeting held on October 13, 2022

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 10-13-2022 Minutes - Regular - Morning

CITY COUNCIL MEETING
October 13, 2022 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 October 13, 2022, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Weldon Hurt, Deputy Mayor Pro-tem Donna Albus, and Councilmembers Shane Price, Lynn Beard, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and Deputy City Secretary Kaitlin Richardson.

Councilmember Shane Price delivered the invocation.

Hunter Thomas, 5th grader at Wylie West Junior High, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Service Awards:
 - Jason Aulerich – Police Department – 25 Years
- Proclamations:
 - Disability Awareness Month accepted by Jamie Thomas on behalf of the Disability Board.
 - Fire Prevention Week accepted by Fire Marshall Jeremy Williams and Deputy Fire Marshall Scott Lackey .
 - Physical Therapy Month accepted by Jill Jumper and students from Hardin Simmons University.
 - National Chiropractic Health Month accepted by Nick Anthony and Dr. Deidra Wright.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-19. Item 11 was pulled for individual consideration. Item 14 was pulled from consideration prior to the meeting.

Item pulled for individual consideration were as follows:

- Councilmember Price – Item 11

Item pulled from consideration:

- Item 14

PUBLIC COMMENTS

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

- David Swart – stated that today is the United States Navy’s birthday. Mr. Swart also spoke about the items on the November election ballot, and the fire at the old Saint Anne’s Church.
- Samuel Garcia – spoke about a disability awareness event he participated in while he was on the school board, where he witnessed firsthand how difficult it was to get around in a wheelchair. Mr. Garcia also spoke about the recent street maintenance fee increase.
- Ryan Goodwin – questioned if the pay and benefit structure for the current city employees who will now be under the All Kind Animal Initiative management will remain the same. He also questioned if Bontke Brothers was the only bidder for the splash pad, as well as sponsorship opportunities for splash pads.

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

Mr. Hanna recognized All Kind Animal Initiative at this time and their efforts to make Animal Services better.

CONSENT AGENDA

Mayor Pro-tem Hurt moved to approve the consent agenda consisting of items 4-10, 12-13 and 15-19.
Councilmember Beard seconded the motion. Motion carried.

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

NAYS (0): None

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on September 22, 2022
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Agreement for Information Technology Services
[ASSIGNED RESOLUTION NO. 175-2022]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Safety/Security Cameras and Access Controls
[ASSIGNED RESOLUTION NO. 176-2022]
7. Resolution: Receive a Report, Hold a Discussion, and Take Action on Completing the City-Wide Voice Over Internet Protocol (VoIP) by Installing and Connecting Equipment at East Lake Road, Hamby, North Library and South Library City Facilities
[ASSIGNED RESOLUTION NO. 177-2022]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Annual Street Services Division Materials Bid #CB-2261
[ASSIGNED RESOLUTION NO. 178-2022]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2266 Water Department Street And Miscellaneous Repair Work 2022-2023 to Bontke Brothers, Inc.
[ASSIGNED RESOLUTION NO. 179-2022]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Professional Services Agreement with Sheppard Surveying for the Surveying of Undeveloped Land Around Lake Ft. Phantom
[ASSIGNED RESOLUTION NO. 180-2022]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on a Buyboard Purchase of Vortex Equipment for Coach James Valentine Park Splash Pad
[ASSIGNED RESOLUTION NO. 182-2022]
13. Resolution: Receive a Report, Hold a Discussion and Take Action on a Buyboard Purchase of Restroom Facilities LTD restroom for Cobb Park
[ASSIGNED RESOLUTION NO. 183-2022]

15. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing Amendment No. 1 to the Professional Services Contract with Enprotec/Hibbs & Todd, Inc.
[ASSIGNED RESOLUTION NO. 185-2022]
16. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Contract with Patagonia Health for the Abilene-Taylor County Public Health District's Electronic Health Record System
[ASSIGNED RESOLUTION NO. 186-2022]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Management Agreement with All Kind Animal Initiative for management services at Abilene Animal Services
[ASSIGNED RESOLUTION NO. 187-2022]
18. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Fallen Hero Memorial
[ASSIGNED RESOLUTION NO. 188-2022]
19. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve the Appointment of Jonathan Seabourn as an Assistant City Attorney
[ASSIGNED RESOLUTION NO. 189-2022]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

11. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Special Events Permit Policy
[ASSIGNED RESOLUTION NO. 181-2022]

Councilmember Price moved to remove this item from the table. Councilmember Beard seconded the motion; motion carried.

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

Adoption of the item would approve the Special Events Permit Policy, which will create one location where citizens and organizations can access the Special Event Application, make payments, and access all City of Abilene resources needed to support an event.

Having pulled the item, Councilmember Price wanted to ensure that the updated attachment A would be the one they are approving today. Mr. Hanna verified that it was the updated version.

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. Mayor Pro-tem Hurt seconded the motion. Motion carried.

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

ITEMS PULLED FROM CONSIDERATION

14. Resolution: Receive a Report, Hold a Discussion, and Take Action on Entering Into a 5-Year Contract with Brightly for Predictor Software Upgrade and One-Time Cost of Building Evaluation
[PULLED FROM CONSIDERATION]

REGULAR AGENDA

20. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits," of the Abilene Municipal Code, by Amending the Extent of Listed Speed Limit of 55 mph on Oldham Lane to 1,250 feet south of Hardison Lane and Adding a 60 mph Speed Limit on Oldham Lane from 1,250 feet south of Hardison Lane to the south City Limits
[ASSIGNED ORDINANCE NO. 50-2022]

Max Johnson, Director of Public Works, presented the item. Adoption of the item would amend the Chapter 18 of the Code of Ordinances, by changing the speed limit at the above referenced locations. TXDoT completed a speed study for this area due to the new school zone that was placed.

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

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

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

21. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 29, Article IX, "Special Events License" of the Code of Ordinances
[ASSIGNED ORDINANCE NO. 51-2022]

Lesli Andrews, Director of Parks & Recreation, presented the item. Adoption of the item would amend Chapter 29 of the Code of Ordinances in regards to Special Events Licenses. This license process would be a one-stop shop for all citizens to request a special events license, upload all their documents, and see the status of their request. This will be a much more streamlined process.

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

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

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

22. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Fees and Charges Ordinance adding Special Events Fees
[ASSIGNED ORDINANCE NO. 52-2022]

Lesli Andrews, Director of Parks & Recreation, presented the item. Adoption of the item would add various fees and charges for Special Events, in particular an application fee for the process.

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

Councilmember McAlister moved to approve the item as presented, with the addition of North Side or South Side in the language. Councilmember Craver seconded the motion; motion carried.

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

NAYS (0): None

23. Ordinance (Final Reading) TC-2022-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Hardin Simmons University, Represented by Enprotech Hibbs & Todd, to Abandon Hickory Street Between North 26th Street and Vogel Avenue; Cedar Street Between North 26th Street to Vogel Ave., Located in the city of Abilene, Taylor County, Texas
[ASSIGNED ORDINANCE NO. 53-2022]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would abandon the rights-of-way on the Hardin Simmons University Campus, at the above referenced locations.

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

- BJ Prichard, agent for the applicant – availed himself to any questions council may have.
- Andrew Briscoe, on behalf of Hardin Simmons – asked for council's support on this item, as this change is for the safety of their students that utilize this area.

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

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

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

NAYS (0): None

24. Ordinance (Final Reading) Z-2022-20: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Choi Fser Ventures, LLC to Change the Zoning of Approximately 3.37 Acres from Agricultural Open (AO) to General Commercial (GC)
[ASSIGNED ORDINANCE NO. 54-2022]

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

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

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

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

NAYS (0): None

25. Ordinance (Final Reading) Z-2022-21: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Pak Harris Enterprises Ltd, Represented by Harris Acoustics Ltd, to Change the Zoning of Approximately 4.76 Acres from Heavy Commercial (HC) to General Commercial (GC)
[ASSIGNED ORDINANCE NO. 55-2022]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Commercial (HC) to General Commercial (GC).

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

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

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

NAYS (0): None

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:23 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:

- 26. A. 551.071 (Consultation with Attorney)
 - 14. West Texas Water Partnership
- 26. D. 551.074 (Personnel Matters)
 - 1. Annual Evaluation of the City Manager
 - 2. Annual Evaluation of the Municipal Court Judge
 - 3. Annual Evaluation of the City Attorney
 - 4. Annual Evaluation of the City Secretary
- 26. F. 551.087 (Business Prospect/Economic Development)
 - 1. Rainey Creek Development
 - 2. Trail Ridge Subdivision

The Executive Session ended at 10:19 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

Mayor Williams stated items 27- 30 will not be considered.

REGULAR AGENDA

27. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Secretary
[NOT CONSIDERED]

28. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Attorney
[NOT CONSIDERED]
29. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Manager
[NOT CONSIDERED]
30. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the Municipal Court Judge
[NOT CONSIDERED]

ADJOURNMENT

There being no further business, the meeting adjourned at 10:20 a.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: _____



**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Rodney Taylor, Director

SUBJECT: 3. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the bid for the Second Pressure Plane Supply Phase 3 - Proposed Northwest Pump Station (Rodney Taylor)

GENERAL INFORMATION

Water Utilities staff is recommending that the Abilene City Council award the bid to Purcell Contracting LLC (Purcell) of Meridian, TX in the amount of \$8,391,850.00 for Second Pressure Plane Supply Phase 3-Proposed Northwest Pump Station, CB-2265 (Project). The bid was advertised in the Abilene Reporter News on September 4th and 11th, 2022. A total of four bids were received on October 11th, 2022. The bids were evaluated using the "best value" competitive bidding method. City staff and the Project Engineer evaluated the bids and determined that the bid by Purcell provides the best value for the City of Abilene.

The bid item includes an "Owners Allowance" in the amount of \$250,000.00 for work directed in writing by the City. The owner's allowance is for work not required within the Plans and Specifications and may be used in the event additional (or less) work from that shown on the Plans and Specifications is required.

SPECIAL CONSIDERATIONS

The Second Pressure Plane Water Supply Line and pump station project was included in the 2010 and 2020 Water Distribution Master Plans. This large scale plan is to be done in multiple phases as described in the 2020 Five Year Capital Improvements Program. The greater project is for the construction of a new 30" treated water pipeline to extend from the Buffalo Gap Elevated Storage Tank west and north to the Northwest Pump Station located within the Five Points Business Park. Phase I is complete and consists of a 30inch PVC pipeline beginning at the BG EST and extending west and north to a connection with the Dyess 16" Water Supply Pipeline near Dub Wright Blvd and Jennings Drive. Phase 2 is underway under a separate contract and

consists of a 30inch pipeline beginning near Jennings Drive and extending north along Dub Wright and west along Military Drive before turning north to the Northwest Pump Station site. Phase 3 is for the construction of a new second pressure plane pump station at the Northwest Pump Station site. These projects are necessary in order to resolve a Notice of Violation from the Texas Commission on Environmental Quality regarding low water pressure issues in the vicinity of the existing High Level Pump Station, and will significantly improve the capacity and reliability of water delivery to west and south Abilene.

FUNDING/FISCAL IMPACT

Funding for this project will utilize proceeds from the FY22 Certificates of Obligations for water utility capital projects.

STAFF RECOMMENDATION

Staff recommends that the Abilene City Council award the bid for Second Pressure Plane Supply Phase 3-Proposed Northwest Pump Station to Purcell Contracting LLC in the amount of \$8,391,850.00.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-WtrDpt-Award Bid-Purcell Contracting-2nd PP Supply P3-Proposed Northwest Pump Station-10-27-2022
2. Letter of Recommendation-Bid Tab-2nd PP Supply Phase 3-Proposed Northwest Pump Station-10-27-2022
3. Contract-Purcell Contracting-2nd PP Supply Phase 3-Proposed Northwest PS-10-27-2022
4. Presentation-Award Bid-Purcell Contracting-Second Pressure Plane Supply Phase 3-Northwest Pump Station-10-27-2022

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING THE BID TO PURCELL CONTRACTING LLC FOR THE SECOND
PRESSURE PLANE SUPPLY PHASE 3-PROPOSED NORTHWEST PUMP STATION
PROJECT.**

WHEREAS, the City of Abilene (City) owns and operates a Public Water Supply System that includes three water treatment plants and the water distribution system; and

WHEREAS, the Texas Commission on Environmental Quality has issued a Notice of Violation due to the low pressure conditions existing upstream of the existing High Level Pump Station and for which cannot be reasonably resolved by modifying the pump station and thus requiring major infrastructure improvements in west Abilene to resolve that issue; and

WHEREAS, Jacob and Martin, LLC (JM) was hired to provide plans and contract documents, bidding assistance, general project supervision, and contract administration for the needed improvements for the Second Pressure Plane Pump Station-Phase 3; and

WHEREAS, Purcell Contracting, LLC (Purcell) submitted the lowest priced qualifying bid in the amount of \$8,391,850.00, and JM has evaluated the bids for best value criteria and for conformity with the advertisement for bids and does recommend awarding the bid to Purcell in the amount of \$8,391,850.00; and

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

That the City Manager is authorized to execute a construction contract with Purcell Contracting, LLC for the Second Pressure Plane Supply Phase 3-Proposed Northwest Pump Station in the amount of \$8,391,850.00.

ADOPTED this 27th day of October, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley E. Smith, City Attorney



INTEGRITY
EXCELLENCE
TRUST

October 12, 2022

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

Re: Second Pressure Plane Supply Phase 3
Proposed Northwest Pump Station
Letter of Recommendation for Award

Sent: Via Email

Dear Mr. Taylor:

On October 11, 2022 the City of Abilene received bids for the Second Pressure Plane Supply Phase 3- Proposed Northwest Pump Station Project. Four bids were received for this project. A bid tabulation sheet summarizing the bids is included as an attachment to this letter. The four bids have been evaluated based on the "Best Value" criteria included in the Contract Documents. Based on our evaluation of the bids it is our conclusion that Purcell Contracting, LLC provides the "Best Value" competitive bid at a total base bid amount of \$8,391,850.00.

Jacob and Martin has evaluated the Purcell bid for conformity with the Contract Documents and checked their references. It is recommended that the contract be awarded to Purcell Contracting, LLC for the contract amount of \$8,391,850.00. If the Water Department and City Council agrees with the recommendation for award, Jacob and Martin will prepare contract documents for execution by the Contractor and the City. Feel free to contact me if you have any questions.

Sincerely,

Kirt Harle, P.E.

JACOB | MARTIN



325.695.1070
817.594.9880



info@jacobmartin.com
www.jacobmartin.com



3465 Curry Lane
Abilene, TX 76906

1508 Santa Fe, Suite 203
Weatherford, TX 76086

TBPE Firm #: 2448

TBAE Firm #: BR 2261

TBPLS Firm #: 10024300 – Abilene

TBPLS Firm #: 10193992 - Weatherford

City of Abilene
Second Pressure Plane Supply Phase 3 - Proposed Northwest Pump Station
Bid Date: October 11, 2022 / 2:00 PM
JM Project Number: 20356
Abilene Project Number: CB-2265

Bid Tabulation

Engineer: Jacob & Martin, LLC
Abilene, Texas

For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the
Following:

				Purcell Contracting, LLC		Dowtech Specialty Contractors, Inc.		Utility Contractors of America		Edgardo Madrid & Associates, LLC	
				7978 State Highway 22		4703 CR 527		5805 CR 7700		6216 Spahn Street	
				Meridian, TX 2387		Baird, TX 79504		Lubbock, TX 79424		Midland, TX 79706	
Item #	Item Description	Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization, Bonds, and Insurance (shall not exceed 5% of total base bid amount)	1	LS	\$ 390,000.00	\$ 390,000.00	\$ 365,800.00	\$ 365,800.00	\$ 600,000.00	\$ 600,000.00	\$ 359,000.00	\$ 359,000.00
2	Site Demolition (including all structural demolition, pipe abandonment and cutting/capping of pipes)	1	LS	\$ 145,000.00	\$ 145,000.00	\$ 354,687.00	\$ 354,687.00	\$ 675,000.00	\$ 675,000.00	\$ 815,513.00	\$ 815,513.00
3	Pump Building (including foundation, CMU walls, roofing, electrical, door/window hardware and HVAC)	1	LS	\$ 2,200,000.00	\$ 2,200,000.00	\$ 1,787,163.00	\$ 1,787,163.00	\$ 3,245,000.00	\$ 3,245,000.00	\$ 2,439,684.91	\$ 2,439,684.91
4	Motor Control Centers (MCC), and Automatic Transfer Switches (ATS)	1	LS	\$ 300,000.00	\$ 300,000.00	\$ 473,600.00	\$ 473,600.00	\$ 290,000.00	\$ 290,000.00	\$ 318,094.55	\$ 318,094.55
5	Pumps, Motors and Cans	1	LS	\$ 1,530,000.00	\$ 1,530,000.00	\$ 1,725,850.00	\$ 1,725,850.00	\$ 1,710,000.00	\$ 1,710,000.00	\$ 2,028,117.03	\$ 2,028,117.03
6	Instrumentation and Controls (not including programming)	1	LS	\$ 240,000.00	\$ 240,000.00	\$ 323,800.00	\$ 323,800.00	\$ 240,000.00	\$ 240,000.00	\$ 509,744.97	\$ 509,744.97
7	Building mechanical (piping, fittings and valves)	1	LS	\$ 1,020,000.00	\$ 1,020,000.00	\$ 1,641,300.00	\$ 1,641,300.00	\$ 1,900,000.00	\$ 1,900,000.00	\$ 1,731,784.32	\$ 1,731,784.32
8	ClaVal Control Interface Valves	1	LS	\$ 190,000.00	\$ 190,000.00	\$ 161,200.00	\$ 161,200.00	\$ 280,000.00	\$ 280,000.00	\$ 277,968.03	\$ 277,968.03
9	Bridge Crane and Hoist	1	LS	\$ 85,000.00	\$ 85,000.00	\$ 232,700.00	\$ 232,700.00	\$ 110,000.00	\$ 110,000.00	\$ 194,600.00	\$ 194,600.00
10	Chemical Disinfection Piping	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 26,000.00	\$ 26,000.00	\$ 10,000.00	\$ 10,000.00	\$ 225,673.45	\$ 225,673.45
11	Yard Piping, Fittings, and Valves	1	LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 899,000.00	\$ 899,000.00	\$ 1,480,000.00	\$ 1,480,000.00	\$ 1,392,475.59	\$ 1,392,475.59
12	Site Grading and Earthwork	1	LS	\$ 150,000.00	\$ 150,000.00	\$ 17,200.00	\$ 17,200.00	\$ 240,000.00	\$ 240,000.00	\$ 118,150.00	\$ 118,150.00
13	Concrete Paving, Curb & Gutter and Sidewalk	765	SY	\$ 90.00	\$ 68,850.00	\$ 150.00	\$ 114,750.00	\$ 125.00	\$ 95,625.00	\$ 257.15	\$ 196,719.75
14	Security Fencing (including double swing gate and concrete curb)	625	LF	\$ 54.40	\$ 34,000.00	\$ 97.00	\$ 60,625.00	\$ 100.00	\$ 62,500.00	\$ 80.62	\$ 50,387.50
15	Flowmeters Vaults	1	LS	\$ 44,000.00	\$ 44,000.00	\$ 82,800.00	\$ 82,800.00	\$ 100,000.00	\$ 100,000.00	\$ 150,120.00	\$ 150,120.00
16	Valve Vaults	1	LS	\$ 80,000.00	\$ 80,000.00	\$ 108,600.00	\$ 108,600.00	\$ 145,000.00	\$ 145,000.00	\$ 250,200.00	\$ 250,200.00
17	Backup Power (including generator, foundation, cables and conduit)	1	LS	\$ 520,000.00	\$ 520,000.00	\$ 376,800.00	\$ 376,800.00	\$ 600,000.00	\$ 600,000.00	\$ 717,274.75	\$ 717,274.75
18	Instrumentation and Controls Programming by Signature Automation, LLC	1	LS	\$ 140,000.00	\$ 140,000.00	\$ 160,500.00	\$ 160,500.00	\$ 135,000.00	\$ 135,000.00	\$ 168,954.50	\$ 168,954.50
19	Lump Sum Allowance for Additional Work	1	LS	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00
TOTAL BASE BID (Items 1 - 19)					\$ 8,391,850.00		\$ 9,162,375.00		\$ 12,168,125.00		\$ 12,194,462.35

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the ____ day of _____, 2022, is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Purcell Contracting, LLC of the City of Meridian, State of Texas. ("Contractor").

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

THE AGREEMENT

1. Work and Consideration. The Contractor hereby agrees to commence and complete the construction of Work required in the Contract Documents – incorporated herein by reference – **Second Pressure Plane Supply Phase 3 – Proposed Northwest Pump Station.**

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

In consideration of this Work, the City will pay the Contractor the sum of \$8,391,850.00.

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

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

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

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

6. Indemnity.

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

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

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

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

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

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

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

B. Indemnity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONTRACTOR

Name of Contractor:

Purcell Contracting, LLC

Signature

Business Address: 7978 State Hwy 22

Meridian, TX 76665

Business Phone No. 254-435-2387

Federal Tax I.D. # 17604895221

Name – Typed or Printed

Chad Purcell

Title – Typed or Printed

President

ATTEST: (If Corporation)

Corporate Seal
(If none, write "None")

CITY OF ABILENE

Robert Hanna, City Manager

APPROVED:

City Attorney

ATTEST:

City Secretary

Seal

Award the bid to Purcell Contracting, LLC for the
Second Pressure Plane Supply Phase 2 –
Proposed Northwest Pump Station Project.





Proposed Northwest Pump Station

- Purcell Contracting LLC (Purcell) submitted the lowest priced bid of \$8,391,850.00, and City staff and the design engineer have determined that the low bid is the best value for the City of Abilene.
- The bid item includes an “Owner’s Allowance” in the amount of \$250,000 for work directed in writing by the City. The owner’s allowance is for work not required within the Plans and Specifications and may be used in the event additional (or less) work from that shown on the Plans or Specifications is required.





Proposed Northwest Pump Station

- The Second Pressure Plane Supply Phase 3 – Proposed Northwest Pump Station Project is the construction of a new pump station facility taking water from the existing Northwest Ground Storage tank and pumping into the new 30" 2nd Pressure Plane Supply Line currently under construction.
- The new pump station will also include new replacement pumps for supplying the 1st Pressure Plane and the 5th Pressure Plane.





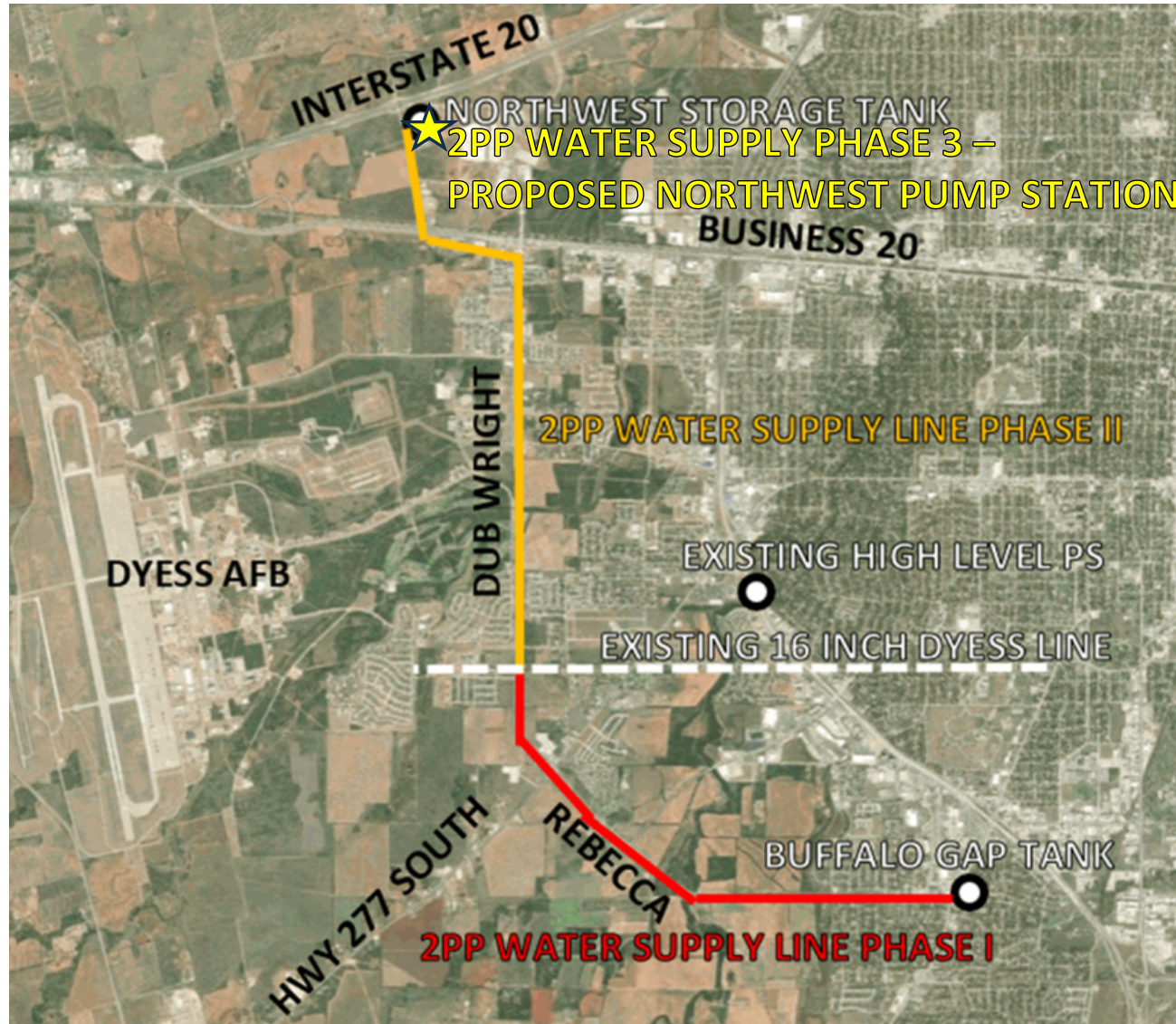
Proposed Northwest Pump Station

- The Second Pressure Plane Supply Line-Phase 2 project is underway for the installation of a 30inch pipeline along Dub Wright Blvd from Jennings Drive north to the Northwest Pump Station Site.
- The Second Pressure Plane Supply Line-Phase 1 Project is complete and is a 30inch pipeline along Rebecca Lane from Jennings Drive south to Ridgemont Drive and connecting to the Buffalo Gap Elevated Storage Tank.





Proposed Northwest Pump Station



CITY OF
ABILENE
TEXAS

Award the bid to Purcell Contracting, LLC for the
Second Pressure Plane Supply Phase 2 –
Proposed Northwest Pump Station Project.

QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Rodney Taylor, Director

SUBJECT: 4. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Professional Services Contract with Jacob & Martin, LLC for the Hwy 83 and FM3034 Water Line Relocation (Rodney Taylor)

GENERAL INFORMATION

Water Utilities staff is requesting that the Abilene City Council approve a Professional Services Contract with Jacob & Martin, LLC (JM) for the design of the Hwy 83 and FM3034 Water Line Relocation in the amount not to exceed \$55,000.00. This contract will provide for evaluation, right of way acquisition, design, bidding, and construction review (not RPR) for the water line relocations resulting from a TXDOT road improvement project along Hwy 83 and FM 3034 on the north side of Abilene.

SPECIAL CONSIDERATIONS

The City of Abilene owns and operates an 8inch water pipeline which exists within the TXDOT right of way of US Highways 83/277 North and in the vicinity of the intersection with Texas FM 3034. The existing pipeline is obstructing the planned highway improvements. It is the City's responsibility to relocate its water line to eliminate the obstruction. JM will attempt to secure an easement along the adjacent private property for relocation of the water pipeline.

FUNDING/FISCAL IMPACT

Funding for the professional services contract will come from Fund 575 designated for Water Utilities Capital Improvement Projects.

STAFF RECOMMENDATION

Staff recommends that the Abilene City Council authorize the professional services contract with Jacob & Martin, LLC for the Hwy 83 and FM3034 Water Line Relocation in the amount not to

exceed \$55,000.00 as described above.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-WtrDpt-Authorize PS Contract with JM for Hwy 83 and FM 3034 Water Line Relocation-10-27-2022
2. Contract-PS-Jacob & Martin-Hwy 83 & FM 3034 WaterLine Relocation-10-27-2022
3. Presentation-Authorize PS Contract-JM-Hwy 83 and FM 3034 Water Line Relocation-10-27-2022

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JACOB &
MARTIN, LLC FOR THE HWY 83 AND FM 3034 WATER LINE RELOCATION.**

WHEREAS, the City of Abilene (Abilene) owns and operates a Public Water Supply System for providing potable water to its retail and wholesale customers; and

WHEREAS, the Texas Department of Transportation (TXDOT) is planning for a roadway improvement project along US Highways 83/277 North in the vicinity of FM 3034 in north Abilene; and

WHEREAS, Abilene owns and operates an eight-inch water pipeline which exists within the TXDOT right of way and which is an obstruction to the planned highway improvements; and

WHEREAS, the professional services contract with Jacob & Martin, LLC will provide for evaluation, right of way acquisition for relocating the water pipeline, design, bidding, and construction review (not RPR) for the water line relocation in the amount not to exceed \$55,000.00; and

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

That the City Manager is authorized to execute the professional services contract with Jacob & Martin, LLC for the design of the Hwy 83 and FM 3034 Water Line Relocation in the amount not to exceed \$55,000.00.

ADOPTED this 27th day of October, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley E. Smith, City Attorney



PROFESSIONAL SERVICES CONTRACT Engineers & Architects

This contract, dated the _____ day of _____, 2022, is between the City of Abilene, a home rule municipal corporation of the State of Texas ("City"), and Jacob & Martin, LLC, a Limited Liability Corporation organized under the laws of the State of Texas ("Consultant").

The City is engaged in Hwy 83 and FM 3034 Water Line Relocation 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>
<u> </u> X <u> </u> 1. Workers' Compensation Employer's Liability	Statutory \$100,000 per occurrence
<u> </u> X <u> </u> 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)
<u> </u> X <u> </u> 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)
<u> </u> X <u> </u> 4. Professional Liability	\$500,000 combined single limit (per occurrence)
<u> </u> 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:

**Rodney Taylor
P.O. Box 60
Abilene, TX 79604-0060**

Consultant – ATTN:

**Kirt Harle, P.E. – J&M
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 bona fide 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

PROFESSIONAL

By:

By: 

Name:

Name: Kirt Harle, P.E.

Title:

Title: Vice-President

Address: 3465 Curry Lane, Abilene TX,
79606

Phone Number: 325-695-1070

Federal Tax ID#: 75-1285782

ATTEST:

ATTEST: (if corporation)

City Secretary

Corporation's Secretary

APPROVED:

Corporate Seal (if available)

By: _____
City Attorney

ATTACHMENT A

Scope of Services

The project scope includes engineering services for evaluation, right of way acquisition, design, bidding, and construction review for water line relocations affected by a TXDOT road improvement project along Hwy 83 / FM 3034 on the north side of the City. The schedule for completing the scope of services is based on the following project timeline provided by TXDOT for the roadway improvement project:

- TXDOT to finalize right of way acquisition for roadway project – April 2023
- Finalize utility adjustments (which includes the City of Abilene water line relocations) – October 2023
- Let TXDOT roadway project – February 2024

Any adjustments to the TXDOT schedule may affect the schedule for the scope of services described below. Any change to the TXDOT schedule will be communicated to the City with corresponding changes to the schedule for the scope of services described below.

A – Evaluation Phase (to be completed by December 1, 2022)

- A.1 Meet with the City to review scope and schedule of the project and obtain input from City staff as it pertains to the project.
- A.2 Conduct site visit.
- A.3 Provide topographic surveying to verify existing utility locations. Surveying information shall be utilized during the evaluation, right of way acquisition, and design phases.
- A.4 Evaluate all applicable alternatives for relocation of water lines in conflict with proposed TXDOT project.
- A.5 Prepare opinion of probable construction cost and implementation schedule.

B –Right of Way Acquisition Phase (to be completed by April 30, 2023 but subject adjustment based on TXDOT acquiring ROW per the schedule above)

- B.6 Perform legal surveying for preparation of easement exhibits.
- B.7 Perform required easement acquisition.

C – Design Phase (to be completed by April 30, 2023 but subject adjustment based on TXDOT acquiring ROW per the schedule above)

- C.1 Prepare detailed specifications, contract drawings and plans for bidding project.**
- C.2 Assist City with TXDOT permitting.**
- C.3 Prepare detailed cost estimates, which shall include summaries of bid items and quantities.**
- C.4 Furnish Bidding Documents to City for legal review.**
- C.5 Finalize Contract Documents incorporating City's comments.**

D – Bidding Phase (to be completed 2 months following completion of Design Phase)

- D.1 Assist City in the advertisement for bids.**
- D.2 Conduct pre-bid meeting.**
- D.3 Answer bidder's questions and issue addenda (if necessary).**
- D.4 Assist the City in the opening and tabulation of bids for construction of the project and make recommendations to the Owner for the proper action on all proposals received.**
- D.5 Assist in the preparation of formal contract documents for the construction of the project.**

E – Construction Phase (to be completed 4 months following completion of Bidding Phase)

- E.1 Coordinate Pre-Construction Conference.**
- E.2 Make periodic visits to the site to observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the Contract Documents.**
- E.3 Consult and advise the City, issue all instructions to the Contractor requested by the City, and prepare routine field orders and/or change orders as required.**
- E.4 Review submittals, schedules, shop drawings, laboratory tests and other data which the Contractor is required to submit, only for conformance with the design concept of the project and compliance with the information given by the Contract Documents.**
- E.5 Review and recommend Contractor's payment requests.**
- E.6 Conduct in company with the City a site visit following substantial completion notice and prepare punch list.**
- E.7 Conduct in company with the City a final inspection of the project for conformance with the design concept of the project and compliance with the Contract Documents and approve in writing final payment to the Contractors.**
- E.8 Review contract drawings with the assistance of the City's Utility Engineer and Contractor to show the work as actually constructed. Furnish two (2) sets of Record Drawings and a digital copy of the Record Drawings to the City.**
- E.9 Provide construction staking.**

ATTACHMENT B
PAYMENT SCHEDULE
PARTIES TO INITIAL OPTION SELECTED

OPTION 1 X

Compensation is based on actual hours of work/time devoted to providing the described professional services and will be paid at a rate of \$(Time and Expense per the attached Fees for Professional Services included as "Exhibit B") per hour not to exceed \$15,000.00 for Additional Services included under "Exhibit A".

Professional 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 is in a lump sum amount of \$40,000 to be paid per the attached Basic Engineering Services Payment Schedule included under "Exhibit A" and 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 Professional 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 Professional has been notified.

EXHIBIT A

Compensation Payment Schedule

Compensation for Basic Engineering Services as described in the Scope of Services shall be at a lump sum fee of \$40,000.00. Basic Engineering Services fee shall be paid to consultant according to the following payment schedule and following completion of each task listed:

- Design Phase: 70% (\$28,000.00)
- Bidding and Award Phase: 5% (\$2,000.00)
- Construction Phase: 25% (\$10,000.00) *

*To be paid monthly based on a percentage of the construction contract completed.

Compensation for Evaluation Phase, Right of Way Acquisition Phase, and Additional Engineering Services (Surveying) as described in the Scope of Services shall be at a time and expense basis per the attached rate schedule included as Exhibit B with not to exceed of \$15,000.00.

“EXHIBIT A”



EXHIBIT B

INTEGRITY
EXCELLENCE
TRUST

FEES FOR PROFESSIONAL SERVICES

Principal	\$ 220.00
Licensed Architect-1	175.00
Licensed Architect-2	140.00
Licensed Interior Designer	110.00
Architectural Associate	100.00
Registered Professional Engineer-1	185.00
Registered Professional Engineer-2	150.00
Engineer-in-Training (E.I.T.)	120.00
Engineering Technician-1	110.00
Engineering Technician-2	100.00
Engineering / Architectural Intern	60.00
Environmental Scientist	120.00
Environmental Technician	70.00
GIS Technician-1	110.00
GIS Technician-2	80.00
CAD Draftsman-1	100.00
CAD Draftsman-2	85.00
Senior Land Man	90.00
Registered Professional Land Surveyor	160.00
Surveyor-in-Training (S.I.T.)	110.00
Resident Project Representative-1	95.00
General Overtime (Weekends, Holidays or before 8 am or after 5 pm)	115.00
Resident Project Representative-2	80.00
General Overtime (Weekends, Holidays or before 8 am or after 5 pm)	100.00
Licensed Water/Wastewater Operator	90.00
Clerical-1	75.00
Clerical-2	60.00

FIELD WORK

1-Man Crew or Technician	\$ 100.00
2-Man Crew	150.00
3-Man Crew	175.00
GPS Equipment	70.00
Robotic Total Station	55.00
Vehicle Charge (per day) plus IRS rate per mile	50.00

A FACTOR OF 1.1 SHALL BE APPLIED TO THE FOLLOWING

1. Actual cost of subsistence and lodging
2. Actual cost of postage and shipping fees
3. Actual cost of materials required for the project used in surveying, drafting and associated activities
4. Actual cost of special tests and services of special consultants, if required

Effective 1/1/2022



info@jacobmartin.com
www.jacobmartin.com



3465 Curry Lane
Abilene, TX 79606
325.695.1070

1508 Santa Fe, Suite 203
Weatherford, TX 76086
817.594.9880

4920 S. Loop 289, Suite 104
Lubbock, TX 79414
806.368.6375

TBPE Firm #: 2448 | TBPELS Firm #: 10194493 - Abilene | TBPELS Firm #: 10194590 - Weatherford | TBAE Firm #: BR 2261

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.

Authorizing a Professional Services Contract with Jacob & Martin, LLC for the Hwy 83 and FM 3034 Water Line Relocation





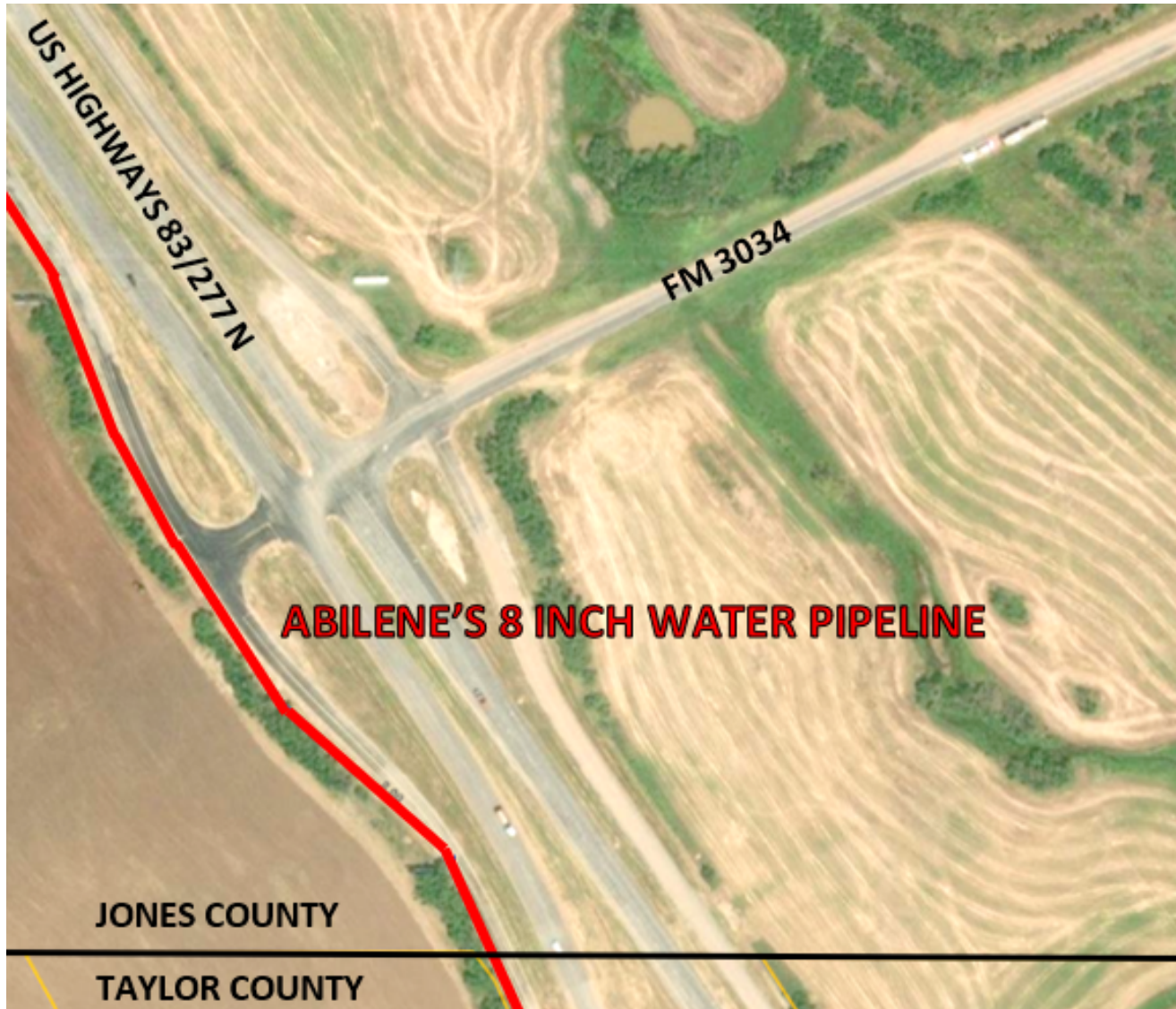
Hwy 83 and FM 3034 Water Line Relocation

- Professional Services Contract with Jacob & Martin, LLC.
- Contract price not to exceed \$55,000.00.
- The contract provides for the evaluation, right of way acquisition, design, bidding, and construction review (not RPR) for the water line relocation
- The Texas Department of Transportation is planning for a highway improvement project along Hwy 83 and FM 3034 and the City's existing water line is located within the TXDOT ROW and is an obstruction to the highway improvements project.





Hwy 83 and FM 3034 Water Line Relocation



Authorizing a Professional Services Contract with Jacob & Martin, LLC for the Hwy 83 and FM 3034 Water Line Relocation

QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Revised Awarded Annual Street Services Division Materials Bid #CB-2261 (Max Johnson)

GENERAL INFORMATION

The City Council approved the Annual Services Division Materials Bid #CB-2261 on Thursday, October 13, 2022 through Resolution. One item on the approved bid sheet was inaccurate and excluded a bid from J. H. Strain for High Performance Patching Material (HPPM). The reference is line 15 of the Tabulation of Bids. The corrected document includes 2 received bids to include J. H. Strain (Tye, TX) at \$130 per ton and Unique Paving (Cleveland, OH) at \$160 per ton. Both bids for this item were received in accordance with procedures (bids received and opened September 8, 2022); however, J. H. Strain's bid was inadvertently left off of the bid tabulation sheet presented to City Council on October 13, 2022 for approval. Staff recommends updating approved listing of materials to include J. H. Strain's bid for HPPM at \$130 per ton.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding for the materials is available in the 2022/2023 general operating budget for Street Maintenance Fund

STAFF RECOMMENDATION

It is recommended that the City Council award, by resolution, the update to include J. H. Strain's

bid for High Performance Patching Material as listed and recommended by the City Staff, and to authorize the City Manager or his designee to execute all necessary documents related to these contracts.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 2022 Resolution CB-2261 Streets materials update 10-27-2022
2. CB2261 TABSHEET update 10-27-2022
3. PP_Resolution Award of Bid CB-2261 - Update

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING AN UPDATE TO THE BULK MATERIALS SUPPLY CONTRACTS AWARDED
OCTOBER 13, 2022**

WHEREAS, the City of Abilene Awarded the Bulk Materials Supply Contracts on October 13, 2022 Through Resolution No. 178-2022; and

WHEREAS, the City of Abilene has updated award of High Performance Paving Material (HPPM) bid which was inadvertently omitted from prior approval; and

WHEREAS, the followin lists the update for award of HPPM for the staff recommended bidder and unit price bid:

HPPM	J. H. Strain	\$ 130.00/Per Ton
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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF ABILENE, TEXAS**

PART 1: That the City Council updates the award of supply contracts approved through Resolution 178-2022 on October 13, 2022 as listed above, as recommended by the Street Service's Staff and to authorize the City Mangaer or his designee to execute all necessary documents related to the contracts.

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

ADOPTED this 27th day of October, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

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

PAGE
1 OF 1

DEPARTMENT: STREETS
BID NO.: CB-2261
TIME OF OPENING: 2:00 P.M.
DATE OF OPENING: SEPTEMBER 8, 2022

VULCAN MATERIALS
ABILENE, TX

J.H. STRAIN
TYE, TX

ABILENE LUMBER / BMC
ABILENE, TX

INGRAM CONCRETE
BROWNWOOD, TX

CRAFCO, INC.
CHANDLER, AZ

UNIQUE PAVING
CLEVELAND, OH

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	LIMESTONE ROCK ASPHALT, TYPE CC	300	TON	121.49											
2.	HOT MIX, TYPE D – DELIVERED	600	TON	90.82		91.39									
3.	HOT MIX, TYPE D – PICKED UP	1,200	TON	81.23		85.00									
4.	HOT MIX, TYPE B – DELIVERED	300	TON	89.82		90.39									
5.	HOT MIX, TYPE B – PICKED UP	200	TON	80.23		85.00									
6.	A-1 FLEX BASE - DELIVERED	16,000	TON	16.35		15.75									
7.	A-1 FLEX BASE – PICKED UP	500	TON	8.00		8.00									
8.	TYPE A GRADE 6 ROCK - DELIVERED	400	TON	35.76											
9.	TYPE A GRADE 6 ROCK – PICKED UP	100	TON	16.25											
10.	PORTLAND CEMENT, TYPE I	250	SACK					13.97							
11.	CLASS A PORTLAND CEMENT, 5-SACK	200	C.Y.	170.50						170.50					
12.	CLASS P CONCRETE	50	YD	178.50						178.50					
13.	FLOWABLE FILL CONCRETE	30	YD	155.50						155.50					
14.	POLYMER MODIFIED CRACK SEALANT	110,000	LBS									.63			
15.	HPPM	400	TONS			130.00								160.00	
16.	CBS-1	5,000	GAL												
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

Resolution: Update to Award of Bid Annual Street Services Division Materials Bid #CB-2261

Max Johnson





Update Contracted Material Costs

	Item	Company	Unit Price
<i>Approved:</i>	HPPM	Unique Paving Materials	\$160.00/Ton
<i>Update:</i>	HPPM	J.H. Strain	\$130.00/Ton





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Change Order #1 for the Water Department Street And Miscellaneous Repair Work 2020-2021 Contract (Max Johnson)

GENERAL INFORMATION

City staff is requesting approval of a Change Order that exceeds the administrative approval level for this construction project per the City's Purchasing Policy, therefore City Council approval is necessary prior to proceeding with the construction contract recommended changes.

The Change Order, for an amount of \$135,732.68, is for the addition of materials that have been used over the original contract.

Background: The City Council at their meeting of October 8, 2020 approved a contract with Bontke Brothers Construction Co. Inc. for the on demand repair of pavement at various locations within Abilene that have been damaged by the repair of waterlines. This contract had an option for renewal of one additional term of one year at the original bid price upon written consent of both the contractor and the City of Abilene. Per that initial agreement, this contract was extended and did officially end September 30, 2022.

This change order will result in a total contract amount of \$ 1,238,307.68.

SPECIAL CONSIDERATIONS

The work done for this change order was completed before September 30,2022

FUNDING/FISCAL IMPACT

Funding for this project is allocated through funds from the Water Department.

STAFF RECOMMENDATION

Staff recommends approval of this Change Order, in the amount of \$135,732.68.

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. Watercuts Proj Resolution
2. Change order for council
3. Watercuts ppt_10-27-2022

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING
CHANGE ORDER OF THE CONTRACT: WATER DEPARTMENT STREET AND
MISCELLANEOUS REPAIR WORK 2020-2021**

WHEREAS, the Public Works Department requests the approval of change order for the contract for THE CONTRACT Water Department Street and Miscellaneous Repair Work 2020-2021; and

WHEREAS, the change order allows for additional material that has been used over the original contract; and

WHEREAS, the following change order was prepared on October 13, 2022:

Bontke Brothers Construction Co., Inc., Abilene, Texas	\$135,732.68
--	--------------

WHEREAS, Bontke Brothers Construction Co., Inc., Abilene, Texas has agreed to the amount of \$135,732.68 with the change order meeting specifications. Staff recommends approval of this change order.

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

PART 1: That the City Council approves this change order in the amount of
\$135,732.68.

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

ADOPTED this 27th day of October, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



CITY OF ABILENE

CHANGE ORDER NUMBER: 1

1. CONTRACTOR: Bontke Brothers Construction Inc.
2. Change Order Work Limits: City of Abilene
3. Type of Change: Major (Major/Minor)
4. Reasons: Adding material that has been used over original contract amount

Project: Water Dept. Street & Misc. Repair Work 2020-2021

Street: N/A

Contract Number: 2201

5. Describe the work being revised: Adding 382.52 gallons of prime oil, 387.12 tons of type "D" HMAC, and 16.5 tons of type "B" HMAC, 1332.15 square feet of alley approach, 29.8 square yards of valley gutter, 4,86.41 square feet of driveway and 5 large mobilizations.
All quantities are at original contract prices.

6. New or revised plan sheet(s), sketch (es), and estimates are attached:

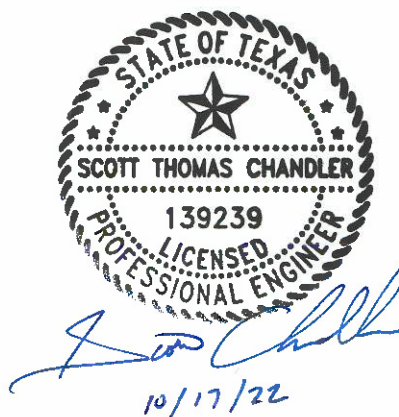
Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due. THE CONTRACTOR <u>Brent Partain</u> Date <u>10/14/2022</u> (Signature) Typed/Printed Name <u>Brent Partain</u> Typed/Printed Title <u>Project Manager</u>	The following information must be provided: Change in contract time: <u>0</u> Original contract price: <u>\$1,102,575.00</u> Existing contract price: * <u>\$1,102,575.00</u> Amount added or subtracted by this CO: <u>\$ +135,732.68</u> Revised contract price: <u>\$ 1238307.68</u> * Includes previous CO's
--	--

RECOMMENDED FOR EXECUTION:

City Manager _____ Date _____

City Engineer's Seal:



Agenda Item:
Water Dept. Street and Misc.
Repair Work 2020-2021

Resolution: Change Order Approval
(Johnson)





Agenda Item: Water Dept. Street and Misc. Repair Work 2020-2021

- Addition of material that has been used over original contract
- Change Order Prepared on October 13th 2022
- Prior contract amount of \$1,102,575.00
- New contract amount of \$1,238,307.68
- Staff recommends approval of change order in the amount of \$135,732.68





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Marcus Dudley, Chief of Police

SUBJECT: 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the 2023 Office of the Governor (OOG) Bullet Resistant Shield Grant (*Marcus Dudley*)

GENERAL INFORMATION

The Abilene Police Department is applying for the 2023 Office of the Governor (OOG) Bullet Resistant Shield Grant in the amount of \$327,468.44.

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

No Impact to the city as there are no matching funds required.

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 2022 Resolution OOG

2. 2023 OOG PD Budget Narrative to Council
3. 2023 OOG Budget Narrative to Council Powerpoint

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE GRANT APPLICATION FOR THE 2023 GOVERNOR (OOG)
BULLET RESISTANT SHIELD GRANT.**

WHEREAS, the Abilene Police Department is applying for the 2023 Office of the Governor (OOG) Bullet Resistant Shield Grant in the amount of \$327,468.42; and

WHEREAS, the grant requires City Council approval of the grant and the application thereof; and

WHEREAS, there are no matching fund requirements;

**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 any grant documents to secure the 2023 OOG Bullet Resistant Shield Grant.

PART 2: This Resolution is effective immediately upon adoption

ADOPTED this 27th day of October, 2022

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



ABILENE POLICE

FROM: Marcus Dudley, Jr. Chief of Police
DATE: October 17, 2022
SUBJECT: 2023 Office of the Governor Solicitation (OOG) FY 23
Bullet Resistant Shield Grant Program

Purpose

This grant is made available in the wake of the Uvalde mass casualty incident that occurred earlier this year. The Abilene Police Department intends to use the money acquired through this grant to purchase Level III bullet resistant shields, to include protective shield hoods. Level III shields protect against multiple rounds of rifle ammunition.

The equipment will be placed into 83 marked police units, to include 10 marked units that are permanently assigned to School Resource Officers on school campuses. The Department will provide training to its personnel in the use this safety equipment.

In an unprecedented year of active threat situations, it is imperative to equip personnel with the equipment needed as well as train them.

Abilene Police Department
4565 South 1st Street
Abilene, Texas 79605
325.673.8331
ABILENEPOLICE.ORG





ABILENE POLICE

Plan

The Abilene Police Department intends to use the funds in the following manner:

Equipping and Training of Personnel

Support the Department's response to active threat situations by placing bullet resistant shields in first responder and school resource officer vehicles.

- (83) Level III NIJ 0108.01 bullet resistant shields, 20x36 (or similar items). Each shield is equipped with a viewport. Each shield was quoted at \$3,826.53 for a total of \$317,601.99.
- (83) Protective shield hoods to prevent damage to view port, each quoted \$70.68 for a total of \$5,866.44.
- Total shipping cost of \$3,999.99.

Total Expenses: \$327,468.42.

We are thankful for the Office of the Governor Grant Program and the opportunities it provides.

Grant#4638101

Abilene Police Department
4565 South 1st Street
Abilene, Texas 79605
325.673.8331
ABILENEPOLICE.ORG





ABILENE POLICE



Abilene Police Department
4565 South 1st Street
Abilene, Texas 79605
325.673.8331
ABILENEPOLICE.ORG



City Council Meeting

10-27-2022





OOG (Officer of the Governor) FY 2023 Bullet Resistant Shield Grant

- Purchase NIJ Level III (rifle rated) Bullet resistant shields.
- 83 shields to be placed in all marked patrol units to include 10 units assigned to School Resource Officers assigned to AISD and WISD campuses.
- Total cost is \$327,468.42.
 - Shields- \$317,601.99.
 - Protective Hood - \$5,866.44
 - Shipping - \$3,999.99





OOG (Officer of the Governor) FY 2023 Bullet Resistant Shield Grant

- One Time Purchase
- No matching funds required by the City of Abilene.
- Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Cande Flores, Fire Chief

SUBJECT: 8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Contract with Siddons-Martin Emergency Group, LLC for the Purchase of Fire Apparatus (Cande Flores)

GENERAL INFORMATION

The Fire Apparatus Replacement Plan includes AFD fleet replacements through the year 2052. This plan calls for the purchase of three (3) fire engines in 2025. The addition of Fire Station 9 requires the purchase of one (1) fire engine. Due to an extended projection for construction, the order for these four (4) apparatus is being placed now. This replacement plan was created to comply with recommendations outlined in NFPA Standard 1901 and to support the Class 1 Public Protection Classification (PPC) by the Insurance Service Office (ISO).

This purchase is for four (4) custom built Pierce Fire Pumps, not including additional equipment and tools. The purchase will be made through the Siddons-Martin Emergency Group. The total price for these apparatus is \$3,230,878.45.

SPECIAL CONSIDERATIONS

This purchase will be made using HGAC pricing. This option confirms best pricing.

FUNDING/FISCAL IMPACT

Funding for these fire engines is available through the Fire Apparatus Replacement Fund. \$1,419,020.08 of the total purchase price will be paid upon signing of the contract and the remaining balance of \$1,811,858.37 will be paid upon acceptance of the finished products.

The total used for this purchase is \$3,230,878.45.

STAFF RECOMMENDATION

Staff recommends approval of the Resolution to authorize the City Manager to execute a contract between Siddons Martin Emergency Group, LLC and the Abilene Fire Department, for the purchase of four (4) Pierce Custom-built Fire Apparatus.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Resolution-Fire Engines Purchase
2. Proposal - Abilene Fire - Updated
3. Fire Engines Purchase PPT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN SIDDONS
MARTIN EMERGENCY GROUP, LLC AND THE ABILENE FIRE DEPARTMENT, FOR
THE PURCHASE OF FOUR (4) PIERCE CUSTOM FIRE PUMPERS.**

WHEREAS, the Fire Apparatus Replacement Plan includes AFD fleet replacements through the year 2052. This plan called for the purchase of three (3) fire engines in 2025. The addition of Fire Station 9 will require the purchase of one (1) fire engine. This replacement plan was created to comply with recommendations outlined in NFPA Standard 1901 and to support the Class 1 Public Protection Classification (PPC) by the Insurance Service Office (ISO).

WHEREAS, this purchase is for four (4) custom built Pierce Enforcer Fire Pumpers, not including additional equipment and tools. The purchase will be made through the Siddons-Martin Emergency Group. The total price for these fire engines is \$3,230,878.45.

WHEREAS, the purchase will be made using HGAC. This option confirms best pricing.

WHEREAS, funding for these fire engines is available through the Fire Apparatus Replacement Fund. \$1,419,020.08 of the purchase price will be paid upon initiation of this contract and the remaining balance of \$1,811,858.37 will be paid upon receipt of the finished products.

WHEREAS, this purchase is necessary to protect the public health and safety of City residents, and is not required to be competitively bid pursuant to Local Government Code Section 252.022(a) (2).

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

Part 1: The City Manager is hereby authorized to execute a contract between Siddons Martin Emergency Group, LLC and the Abilene Fire Department, for the purchase of four (4) Pierce-Custom Enforcer Fire Pumpers.

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

ADOPTED and approved by the City Council on the 27th of October, 2022.

ATTEST:

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

APPROVED:

Stanley Smith
City Attorney

Siddons Martin Emergency Group, LLC
3500 Shelby Lane
Denton, TX 76207
GDN P115891
TXDOT MVD No. A115890

October 19, 2022

Brunett, John
ABILENE FIRE DEPARTMENT
250 GRAPE ST
ABILENE, TX 79601



Proposal For: FY 2023 Abilene Fire Department Pumper

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to ABILENE FIRE DEPARTMENT. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB ABILENE FIRE DEPARTMENT and training on operation and use of the apparatus.

Description	Amount	
Qty. 1 - 976 - Pierce-Custom Enforcer Pumper, 2nd Gen		
(Unit Price - \$854,093.00)		
Delivery within 35-36 months of order date		
QUOTE # - SMEG-0004772-2		
	Vehicle Price	\$854,093.00
	Full Prepay Discount	(\$27,429.66)
	976 - UNIT TOTAL	\$826,663.34
 Qty. 3 - 972 - Pierce-Custom Enforcer Pumper, 2nd Gen		
(Unit Price - \$827,859.00)		
Delivery within 35-36 months of order date		
QUOTE # - SMEG-0004771-3		
	Vehicle Price	\$2,483,577.00
	Full Prepay Discount	(\$81,361.89)
	972 - UNIT TOTAL	\$2,402,215.11
	 SUB TOTAL	 \$3,228,878.45
	HGAC FS12-19 (FIRE)	\$2,000.00
	TOTAL	\$3,230,878.45

Price guaranteed until October 31, 2022.

If the Abilene municipal bond election is not a success, Siddons-Martin Emergency Group will allow the City of Abilene to cancel the order of bid #976 or one of the custom pumpers from #972 without penalty before close of business on November 30, 2022.

Prepayment of \$1,061,241,87 for bid number 972 is due 30 days on contract receipt. Prepayment of \$357,778,21 for bid # 976 is due 30 day on contract receipt.

The quoted price is applicable for the entirety of the contract. Increases in material, equipment, or services shall not alter the quoted price of this contract.

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,

Ron Fuller

Ronald Fuller

I, _____, the authorized representative of ABILENE FIRE DEPARTMENT, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date

2022 Fire Engines Purchase

October 2022





PURCHASE

- Pierce-Custom Enforcer Pumper (Fire Engine)
 - 3 Fire Engines priced at \$827,859.00 each
 - Replaces current Engines 1 & 4
 - Additional Fire Engine for Station 9 (if bond is passed)
 - 1 Fire Engine priced at \$854,859.00
 - Replaces current Engine 6
 - Contains additional storage compartments
 - Additional storage for technical rescue equipment
 - Will be located at Station 6





APPARATUS REPLACEMENT PLAN

- Fire Apparatus Replacement Plan
 - Projected for apparatus replacement through 2052
 - Identifies three (3) fire engines for replacement in 2025
 - Engine 9 anticipated to enter service in 2025
- Purchase Considerations
 - Current build estimate from Pierce Manufacturing is 35 - 36 months
 - Siddons-Martin 7% price increase on November 1, 2022
 - Increase of \$233,690.52 over current base quote
 - No penalty if Station 9 is not approved and fourth engine has to be removed from the order





FUNDING IMPACT

- HGAC Pricing
 - Guaranteed Best Pricing
- Funding will come from the AFD Fire Apparatus Fund
 - \$1,419,020.08 will be paid upon signing of the contract
 - Pierce provides a discount for prepayment
 - Discount will equal \$108,611.55
 - \$1,811,858.37 will be paid upon completion and acceptance of all ordered apparatus
- Total Contract Price is \$3,230,878.45





END

QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Don Green, Director

SUBJECT: 9. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of Four (4) 2022 Chevrolet Tahoe Police Patrol Vehicle Units from Caldwell Country Chevrolet Through Buyboard Quote #601-19 (Don Green)

GENERAL INFORMATION

Due to the continuing shortage and high demand of Police Patrol Vehicles, Fleet Services has had to move quickly to secure new police vehicles. Fleet Services hereby requests Council to approve the purchase of four (4) 2022 Chevrolet Tahoe PPV units for the Police Department through Buyboard contract #601-19 through Caldwell Country Chevrolet.

SPECIAL CONSIDERATIONS

Texas law allows a municipality to purchase goods through a state or local cooperative purchasing program. BuyBoard is such a program, and the purchase meets the competitive bidding requirements.

FUNDING/FISCAL IMPACT

Funding for the purchase is to be provided by the Fleet Replacement Fund and the total is \$172,644.00. The funds for this purchase were planned and included in the FY23 Budget. This purchase is \$856.00 under budget.

STAFF RECOMMENDATION

Staff requests the approval of the purchase of these four units. The specifications for these units

have been reviewed and approved by the Police Department.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Emergency Purchase of Police SUVs Resolution
2. Co-Op PPV Pricing Worksheet
3. Co-Op PPV Additional Info
4. Co-Op PPV Budget vs Actual
5. Emergency Purchase of Police Patrol SUV Presentation

RESOLUTION NO _____

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

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

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2021, 2022, and 2023; and

WHEREAS, City of Abilene received pricing for four 2022 Model Police Tahoes through BuyBoard Co-Op Contract 601-19; and

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

WHEREAS, an emergency purchase of these four Tahoes was previously executed due to the shortage and high demand of such vehicles.

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

PART 1: That the City Council approves this emergency purchase from Caldwell Country Chevrolet of Caldwell, Texas in the amount of One Hundred Seventy Two Thousand Six Hundred and Forty Four Dollars (\$172,644) for four Police Patrol Tahoes through BuyBoard Co-Op Contract 601-19.

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

ADOPTED this 27th day October, 2022

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

CALDWELL COUNTRY CHEVROLET

800 HWY. 21 E. CALDWELL, TEXAS 77836

BUYBOARD 601-19

End User: CITY OF ABILENE

Caldwell Rep: BEN LAUREANO QUOTE# BL22861

Contact: CASSANDRA LAMBERT

Phone: 979-567-6155

Phone/email: CASSANDRA.LAMBERT@ABILENETX.GOV

Date: Thursday, October 13, 2022

Product Description: CHEVROLET TAHOE

email: ben@caldwellcountry.com

A. Bid Series: 31

A. Base Price: \$ 42,575.00

B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
CC10706	2022 CHEVROLET TAHOE PPV 4X2	INCL		ALTERNATOR, 220 AMPS	INCL
AMF	REMOTE KEYLESS PACKAGE	INCL		DUAL BATTERIES	INCL
6J3	WIRING, GRILL LAMP/SPEAKER	INCL		AM/FM/BLUETOOTH	INCL
VK3	FRONT LICENSE PLATE BRACKET	INCL		TRAILERING HITCH PLATFORM	INCL
9C1	POLICE PACKAGE	INCL		REAR VISION CAMERA	INCL
AZ3	SEATS, FRONT 40/20/40 CLOTH	INCL		POWER WINDOW/LOCK	INCL
C5Z	GVWR, 7,200 LBS	INCL		DEEP TINT GLASS	INCL
GU5	REAR AXLE 3.23 RATIO	INCL		SKID PLATE, FRONT	INCL
L84	ENGINE, 5.3L V8	INCL		WHEELS, 20" STEEL	INCL
MHS	TRANS, 10-SPEED AUTO	INCL		RUNNING BOARDS	INCL
Total of B. Published Options:					

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

Disclaimer	Unpublished Options	Bid Price
PRICES/QUOTES ARE VALID FOR THIRTY (30) DAYS DUE TO SUPPLY CHAIN CONSTRAINTS. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER A PURCHASE ORDER IS ISSUED	GBA - BLACK / STOCK IN TRANSIT - ABILENE SPEC	COLOR / DELIVERY
Total of C. Unpublished Options:		

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

\$ -

E. UPFITTERS:

F. Manufacturer Destination/Delivery:

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

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

\$ -

I. Contract Price Adjustment:

\$ -

J. Additional Delivery Charge: 243 miles

\$ 486.00

K. Subtotal:

\$ 43,061.00

L. Quantity Ordered 4 x K =

\$ 172,244.00

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER

\$ 400.00

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE (PRICES AND AVAILABILITY ARE SUBJECT TO CHANGE WITHOUT NOTICE)

\$ 172,644.00

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Police Pursuit Vehicle Tahoes

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Points	Replacement Reasoning
4320	Police Patrol	2012	Chevrolet	Tahoe PPV	139,343	19,068	\$ 48,650.10	TBD	3 of 4	Met 3 of the 4 replacement criteria
4534	Police Patrol	2015	Chevrolet	Tahoe PPV	138,961	16,177	\$ 16,956.77	TBD	3 of 4	Met 3 of the 4 replacement criteria
4576	Police Patrol	2016	Chevrolet	Tahoe PPV	124,158	17,294	\$ 17,881.73	TBD	3 of 4	Met 3 of the 4 replacement criteria
4578	Police Patrol	2016	Chevrolet	Tahoe PPV	124,037	15,300	\$ 13,110.82	TBD	3 of 4	Met 3 of the 4 replacement criteria

BUDGET vs ACTUAL COSTS**Police Pursuit Vehicle Tahoes**

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance
4320	5015	Police Patrol	Tahoe PPV	\$39,000.00	\$43,161.00	\$4,161.00
4534	5015	Police Patrol	Tahoe PPV	\$52,500.00	\$43,161.00	(\$9,339.00)
4576	5015	Police Patrol	Tahoe PPV	\$41,000.00	\$43,161.00	\$2,161.00
4578	5015	Police Patrol	Tahoe PPV	\$41,000.00	\$43,161.00	\$2,161.00
				\$173,500.00	\$172,644.00	(\$856.00)

Budgeted for FY22 and excludes upfitting costs.
Budgeted for FY21 and includes upfitting costs.
Budgeted for FY23 and excludes upfitting costs.
Budgeted for FY23 and excludes upfitting costs.
Under Budget

City Council Meeting

10/27/2022





Four Police Patrol SUVs

- Emergency Purchase for Four Police Patrol SUVs assigned to Police Department to replace existing units.
- BuyBoard Cooperative purchase to coordinate the build and delivery process through BuyBoard Contract # 601-19.
- Units to be 2022 Chevrolet PPV Tahoes.





Toro 5900





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: **10. Ordinance (First Reading) Z-2022-22: Receive a Report, Hold a Discussion, and Take Action on a request from AEI Properties LLC, Represented by Corder Norris, to Change the Zoning of Approximately 3.57 Acres from Medical Use (MU) to General Commercial (GC). *(Tim Littlejohn)***

GENERAL INFORMATION

The request is to rezone approximately 3.57 acres from Medical Use (MU) to General Commercial (GC) Lot 101, Block A, Cameron Addition in the 6100 Block of Memorial Drive. The applicant prefers the diversity of uses allowed in the GC district. This property was annexed in 1978 and has been commercially developed with medical offices. The property is zoned Medical Use (MU).

SPECIAL CONSIDERATIONS

A General Retail (GR) district is located north and south of the subject property. A Planned Development District (PDD-32) which allows for Office, General Retail (a.k.a. SC), and Neighborhood Retail (a.k.a. LC) is located to the west. Properties to the east across Memorial Drive are zoned AO. Currently, the subject property is used for a variety of retail and services, which the applicant would like to expand.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 4-0.

ATTACHMENTS:

1. Z-2022-22 Draft ordinance
2. Z-2022-22 Staff Report
3. 10 Hospital Drive
4. 2201 Antilley
5. 2342 Antilley
6. Bill Senter
7. Z-2022-22 CC presentation

ORDINANCE NO. _____

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

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

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

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING the 27th day of October, 2022

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September 2022, 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 3rd day of November 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 3rd day of November, 2022.

ATTEST:

CITY SECRETARY

MAYOR

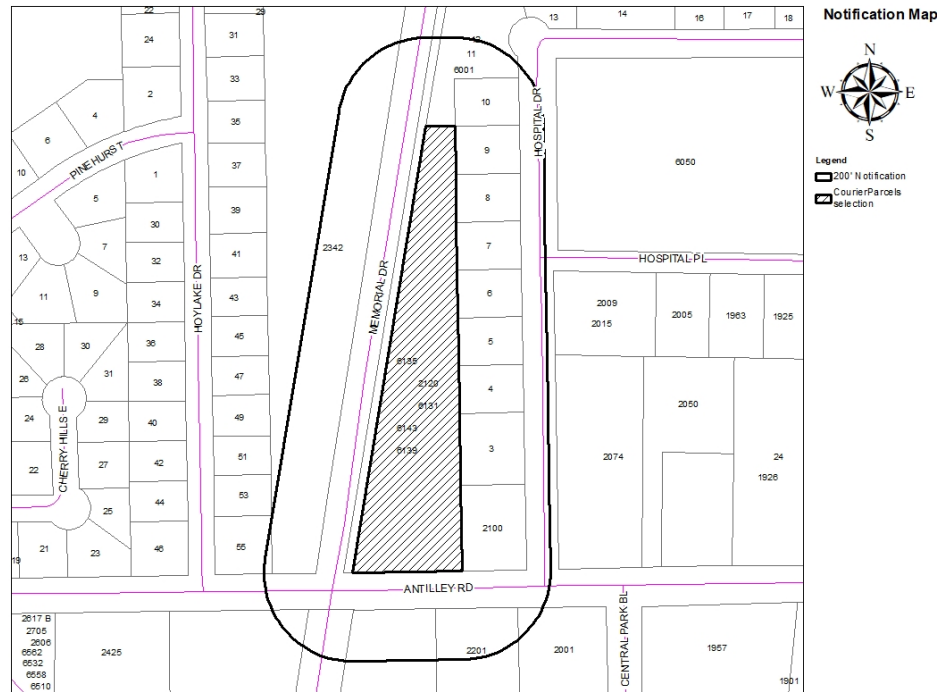
APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from a Medical Use (MU) district to a General Commercial (GC) District:

Lot 101, Block A, Cameron Addition



END

ZONING CASE Z-2022-22

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: October 4, 2022

City Council 1st Reading: October 27, 2022

City Council 2nd Reading: November 3, 2022

Applicant

Owner: AEI Properties, LLC

Request

Rezone approximately 3.57 acres from Medical Use (MU) to General Commercial (GC). The applicant prefers the diversity of uses allowed in the GC district. The GC district allows medical uses, meaning that the existing eye center on this site would be a conforming GC use.

Location

Lot 101, Block A, Cameron Addition in the 6100 Block of Memorial Drive.

Background

This property was annexed in 1978 and has been commercially developed with medical offices. The property is zoned Medical Use (MU).

Zoning, Existing and Proposed Land Use

General Retail (GR) districts are located north and south of the subject property. A Planned Development District (PDD-32) that allows Office, General Retail (a.k.a. SC), and Neighborhood Retail (a.k.a. LC) uses is located to the east. Properties to west across Memorial Drive are zoned AO. GR zoning is requested to allow a variety of retail and services uses on the north half of the subject site.

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 Map shows the subject site in a "Mixed Use Gateway" and a "Special Activity Center" for medical campuses and supporting commercial uses.

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

The proposed use is consistent with the current zoning patterns and is appropriate at this location.

- (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.**

Adequate utilities are available to serve this site.

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

None.

Planning and Zoning Commission Recommendation

P & Z recommends **approval**.

Notification

TABLE 1

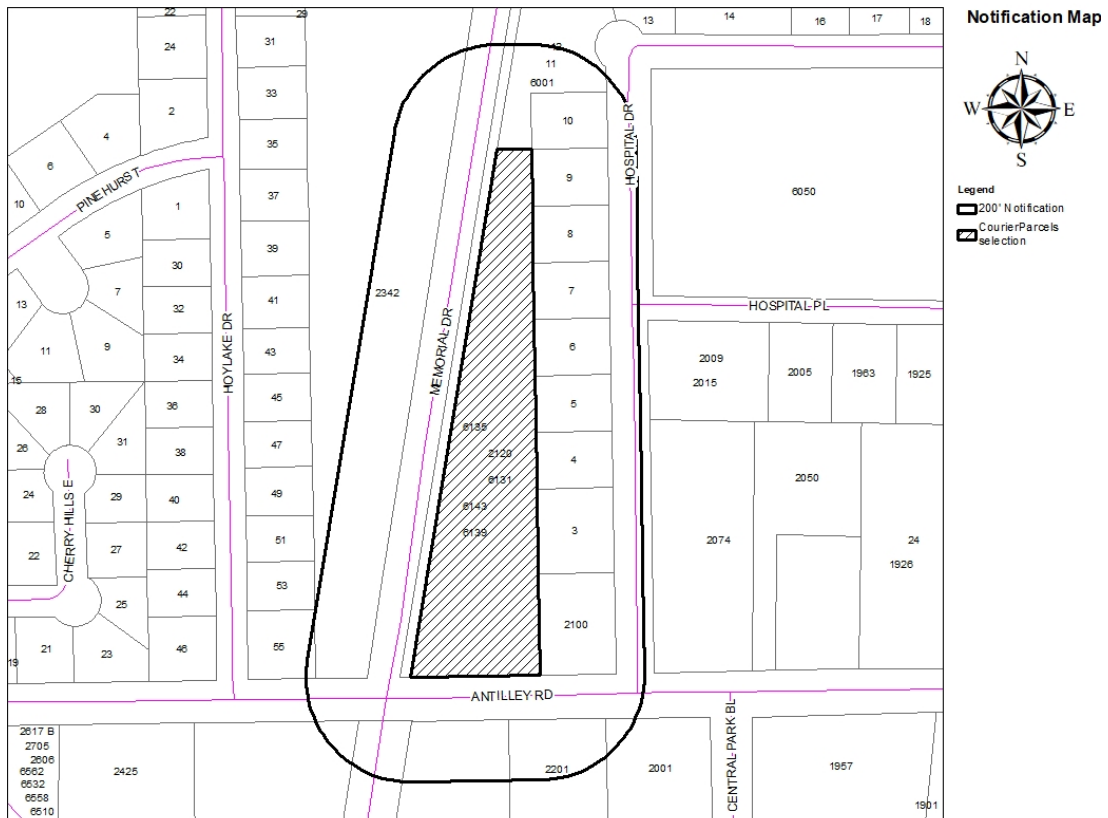
Owner

Owner	Property ID	Situs	Response
46RIVES LLC	53862	9 HOSPITAL DR	
AEI PROPERTIES LLC	44196	2120 ANTILLEY RD	
AEI PROPERTIES LLC	44196	6131 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6139 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6135 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6143 MEMORIAL DR	
BAGLEY TROYCE &	53322	5 HOSPITAL DR	
BONNER OMS REAL ESTATE LLC	53193	4 HOSPITAL DR	
CENTRAL PARK 91 LTD	1013016	2201 ANTILLEY RD	
CIC INVESTMENTS INC	57851	2342 ANTILLEY RD	
COLLINS LERONIOUS &	11654	55 HOYLAKES DR	
DEVON ENTERPRISES LLC	1010830		
GOODNIGHT HALL LLC	52942	3 HOSPITAL DR	
MANGREM JOSEPH T & KELSIE D	53597	7 HOSPITAL DR	
MANGREM JOSEPH T & KELSIE D	53463	6 HOSPITAL DR	
OSBORNE REAL ESTATE LLC	53990	10 HOSPITAL DR	
PROSPERITY BANK	42142	2001 ANTILLEY RD	
SHRINGERI AKKAMAHADEVI P	52803	2100 ANTILLEY RD	
WILLIS THOMAS LEE	53735	8 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	11 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	12 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	6001 MEMORIAL DR	

Property ID

Owner	Property ID	Situs	Response
COLLINS LERONIOUS & PROSPERITY BANK	11654	55 HOYLAKE DR	
AEI PROPERTIES LLC	44196	2120 ANTILLEY RD	
AEI PROPERTIES LLC	44196	6131 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6139 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6135 MEMORIAL DR	
AEI PROPERTIES LLC	44196	6143 MEMORIAL DR	
SHRINGERI AKKAMAHADEVIP	52803	2100 ANTILLEY RD	
GOODNIGHT HALL LLC	52942	3 HOSPITAL DR	
BONNER OMS REAL ESTATE LLC	53193	4 HOSPITAL DR	
BAGLEY TROYCE & MANGREM JOSEPH T & KELSI D	53322	5 HOSPITAL DR	
MANGREM JOSEPH T & KELSI D	53463	6 HOSPITAL DR	
MANGREM JOSEPH T & KELSI D	53597	7 HOSPITAL DR	
WILLIS THOMAS LEE	53735	8 HOSPITAL DR	
46RIVES LLC	53862	9 HOSPITAL DR	
OSBORNE REAL ESTATE LLC	53990	10 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	11 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	12 HOSPITAL DR	
ZACHRY H C STUDIO/GALLERY INC	54122	6001 MEMORIAL DR	
CIC INVESTMENTS INC	57851	2342 ANTILLEY RD	
DEVON ENTERPRISES LLC	1010830		
CENTRAL PARK 91 LTD	1013016	2201 ANTILLEY RD	

LOCATION MAP



ZONING MAP



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

CASE #: Z-2022-22

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: OSBORNE REAL ESTATE LLC

Parcel I.D.: 53990

Address: 10 HOSPITAL 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: _____

SEP 29 PM 12:45



CENTRAL PARK 91 LTD
PO BOX 6868
ABILENE, TX 79608-6868

NOTICE OF PUBLIC HEARING

RE: Zone Change Application Number Z-2022-22

09/19/2022

The Planning and Zoning Commission will hold a public hearing on **October 4, 2022 at 1:30 PM**, in the Council Chambers at 555 Walnut St. in Abilene, Texas vote to recommend approval or denial to City Council on a request from AEI Properties LLC, represented by Corder Norris, to change the zoning of approximately 3.57 acres from Medical Use (MU) to General Commercial (GC). Legal description being Lot 101, Block A, Cameron Addition, Abilene in 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 indicated below. All written responses must be signed.

The attached map shows the area of this request. Only the area highlighted by striped lines shown on that map is being considered for a change of zoning. The solid boundary line surrounding this subject area is only a notification area. If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for 2nd and Final Reading with a public hearing on **November 3, 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 Adam Holland at telephone 325-676-6230 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-2022-22

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: CENTRAL PARK 91 LTD

Parcel I.D.: 1013016

Address: 2201 ANTILLEY 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:

Signature: 

...ie PLANNING & ZONING COMMISSION

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

CASE #: Z-2022-22

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: CIC INVESTMENTS INC

Parcel I.D.: 57851

Address: 2342 ANTILLEY 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:

Signature: By: Ch... President

CIC Investments, Inc



CENTRAL PARK 91 LTD
PO BOX 6868
ABILENE, TX 79608-6868

NOTICE OF PUBLIC HEARING

RE: Zone Change Application Number Z-2022-22

09/19/2022

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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 indicated below. All written responses must be signed.

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If you have any questions, please contact Adam Holland at telephone 325-676-6230 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-2022-22

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: CENTRAL PARK 91 LTD
Parcel I.D.: 1063438
Address:

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 ☐

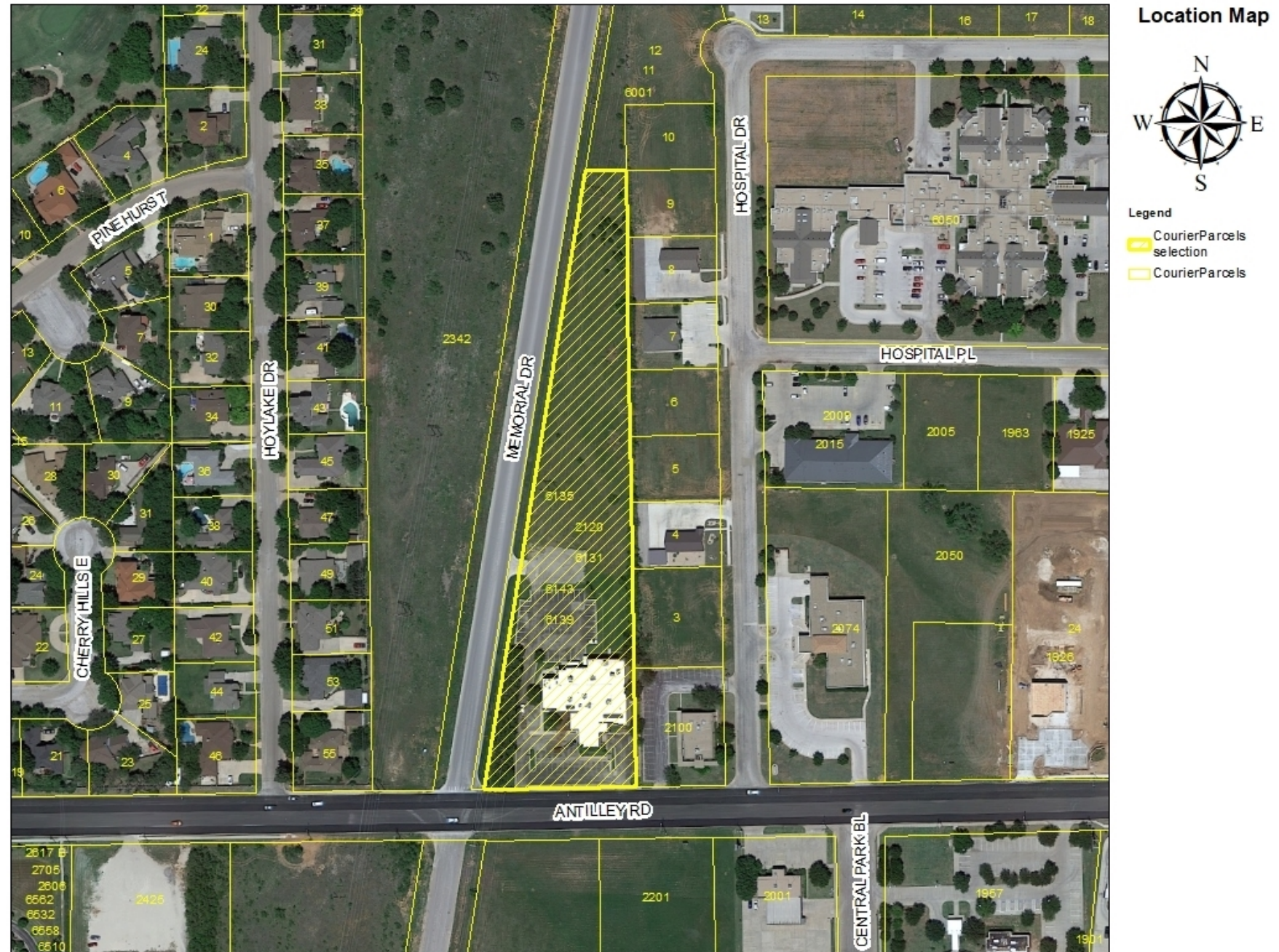
Additional Comments:

Signature: _____

Bill Senter
BILL SENTER
GENERAL PARTNER

OCT 5 PM 3:17

Case:	Z-2022-22
Owner:	AEI Properties, LLC
Agent:	Corder Norris
Request:	Rezone from MU to GC
Location:	Lot 101, Block A, Cameron Addition
Notification:	2 in Favor, 1 Opposed
Planning & Zoning:	October 4, 2022
City Council Hearing:	October 27, 2022 November 3, 2022



Z-2022-22 ZONING MAP



Permitted Uses in MU Zoning

RESIDENTIAL USES:

- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- C Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- P 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
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment Mobile (storage and parking)
- P Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

- P Funeral Home/Mortuary/Morgue
- P Office (general, professional, financial)
- P Personal Services

TRADE – RETAIL USES

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Restaurant, Fast Food
- P/C Restaurant, Standard

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P 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

Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE

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

TRADE – RETAIL USES

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

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Passenger Ground Transportation Terminal
- P Pressure Control Station
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

- P
- C
- TP

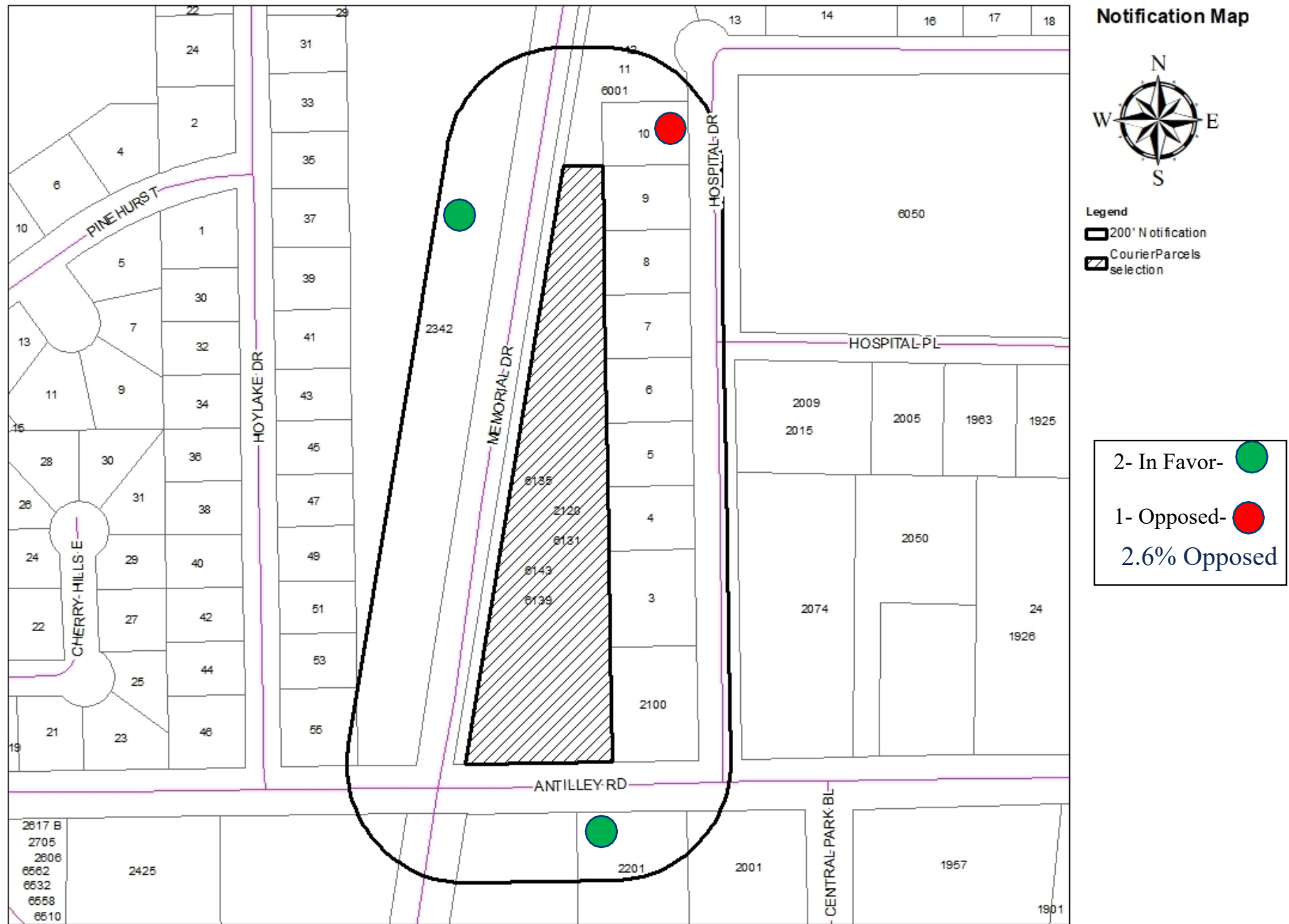
Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)

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

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



Z-2022-22 NOTIFICATION AREA MAP



The proposed request is consistent with:

- The *Comprehensive Plan*;
 - The surrounding uses and zoning;
 - Generally accepted planning principals; and
 - The Criteria for Approval in the LDC.
-
- P & Z Recommendation: **Approval**

Questions?



**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Director of Planning & Development Services

SUBJECT: **11. Ordinance (First Reading) Z-2022-23: Receive a Report, Hold a Discussion, and Take Action on a Request from Fuad Hamed to Change the Zoning of Approximately .843 Acres from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF). *(Tim Littlejohn)***

GENERAL INFORMATION

The request is to rezone approximately 3.57 acres from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF) located at approximately .91 Acres of vacant land in the 2900 Block of Old Anson Road. This property was annexed in 1957 and has remained vacant since annexation.

SPECIAL CONSIDERATIONS

A Multi-Family (MF) district is located north and south of the subject property. An historic property is south of the subject property as well. A single-family (RS-6) development is west across Old Anson Road.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 4-0.

ATTACHMENTS:

1. Z-2022-23 Draft ordinance
2. Z-2022-23 Staff Report
3. 2841 Old Anson Road
4. 2836 Response
5. 2828 Old Anson Rd.
6. Z-2022-23 PZC presentation

ORDINANCE NO. _____

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

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

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

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

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto. PASSED ON FIRST READING the 27th day of October, 2022

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September 2022, 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 3rd day of November 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 3rd day of November, 2022.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from a Multi-Family (MF) and Agricultural Open (AO) district to a Multi-Family (MF) District:

BEING 0.843 acres out of the J.R. Shipman Survey No. 85, Taylor County, Texas and also being out of Lot 3, Steffens Subdivision of Merchants Pasture, Taylor County, Texas, said 0.843 acres being all of that same 0.843 acre tract described in Instrument No. 2017-17476, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 3/8" rebar found on the west side of Old Anson Road (right-of-way varies) at the northeast corner of a 0.672 acre tract recorded in Instrument No. 2016-20816, Official Public Records, Taylor County, Texas for the most easterly southeast corner of this tract, whence the northeast corner of said Survey No. 85 is recorded to bear North 221.7 feet and N89°53'E 2061.11 feet;

THENCE N89°34'18"W 150.86 feet to a 60-d nail found at the northwest corner of said 0.672 acre tract for an interior corner of this tract;

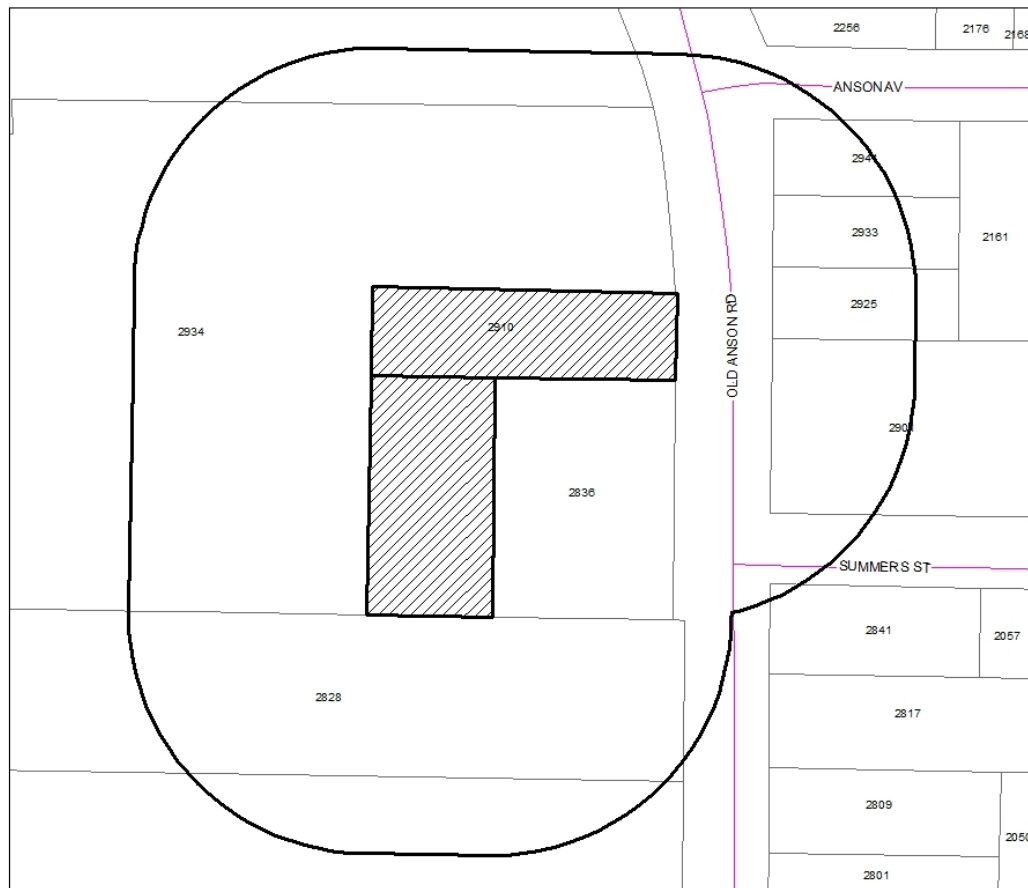
THENCE S1°05'33"W 192.82 feet to a 1/2" rebar found at the southwest corner of said 0.672 acre tract for the most southerly southeast corner of this tract;

THENCE N89°09'06"W 89.98 feet to a 1/2" Rebar found for the southwest corner of this tract;

THENCE N1°01'41"E 274.80 feet to a 1/2" rebar found for the northwest corner of this tract;

THENCE S89°09'30"W 232.71 feet to a 1/2" rebar found on the west side of Old Anson Road for the northeast corner of this tract;

THENCE S4°51'22"E 81.31 feet along the west side of Old Anson Road to the place of beginning and containing 0.843 acres of land.



END

ZONING CASE Z-2022-23

STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: October 4, 2022

City Council 1st Reading: October 27, 2022

City Council 2nd Reading: November 3, 2022

Applicant

Owner: Fuad Hamed

Request

Rezone approximately 0.84 acres from Agricultural Open (AO) and Multi-Family (MF) to Multi-Family (MF).

Location

Approximately 0.84 Acres of vacant land in the 2900 Block of Old Anson Road.

Background

This property was annexed in 1957 and has remained vacant since annexation.

Zoning, Existing and Proposed Land Use

A Multi-Family (MF) district is located north and west of the subject property. Residences in the Agricultural Open (AO) district are east and south of the subject property. The property to the south is also located in a historic overlay district. A single-family (RS-6) development is located to the east across Old Anson Road.

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 Map recommends Multi-Family development for the subject site. The proposed zoning request is consistent with that recommendation.

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

The proposed use is consistent with the surrounding zoning patterns in this area.

- (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.**

Adequate utilities are available to serve this site.

- (4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.
None.

Planning and Zoning Commission Recommendation

P&Z recommends **approval**.

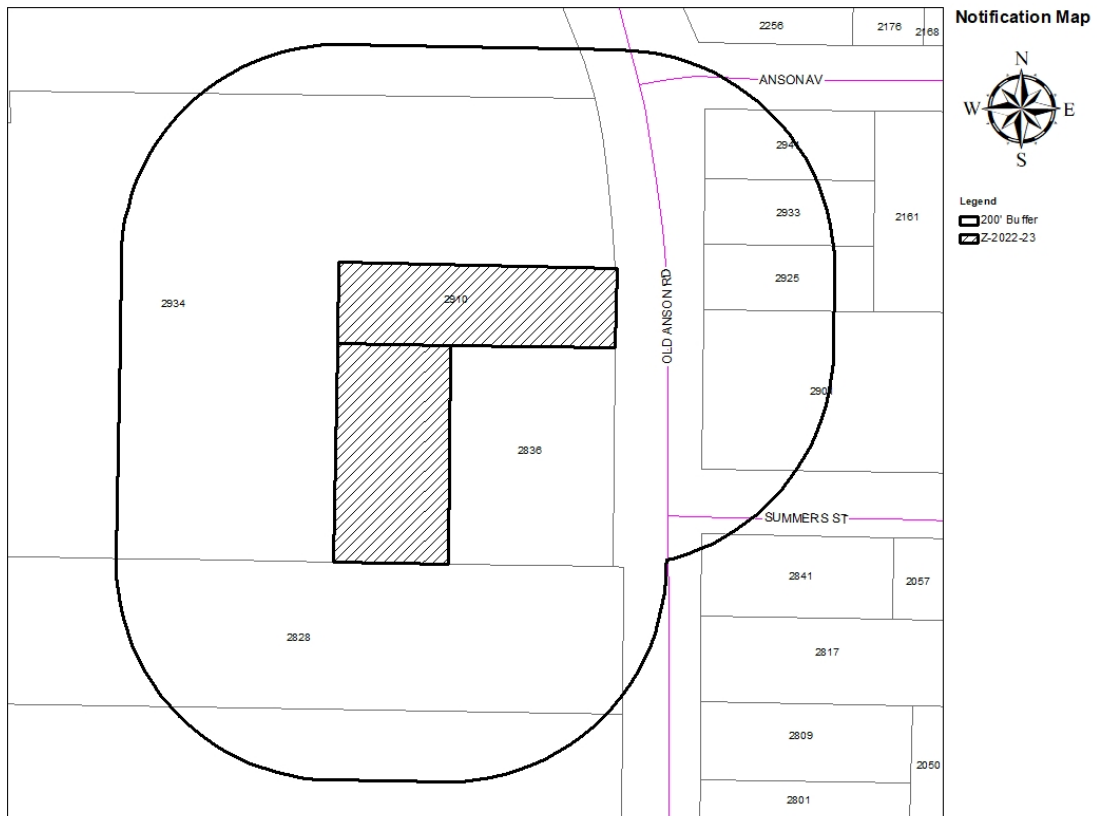
Notification

TABLE 1

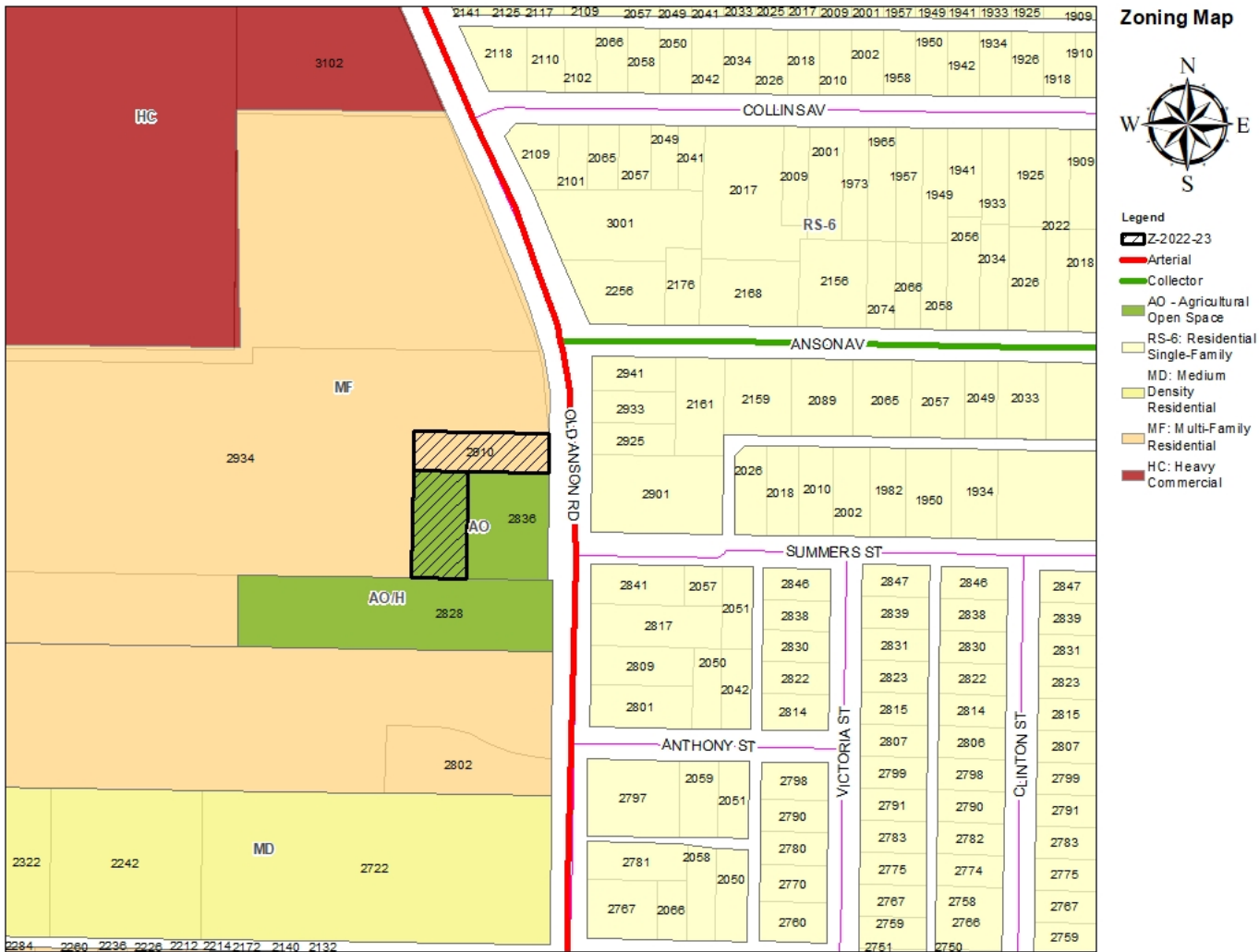
Owner	Property ID	Situs	Response
CORNELIUS JULIA &	91073	2841 OLD ANSON RD	O
DULANEY DALLAS DAVID &	47114	2901 OLD ANSON RD	
HOWISON DAVID & DENISE	117139	2836 OLD ANSON RD	O
JIMENEZ LUIS &	46499	2941 OLD ANSON RD	
JWDW PROPERTIES II LLC	1084626	2934 OLD ANSON RD	
MEADOR MARGIE JACKSON	46630	2925 OLD ANSON RD	
VENUGOPALA SOWMYA	969335	2910 OLD ANSON RD	
VILLA RAYMOND MARTINEZ	46746	2933 OLD ANSON RD	
WESTBROOK GARY W & DEBRA K	40266	2828 OLD ANSON RD	O

Owner	Property ID	Situs	Response
WESTBROOK GARY W & DEBRA K	40266	2828 OLD ANSON RD	O
JIMENEZ LUIS &	46499	2941 OLD ANSON RD	
MEADOR MARGIE JACKSON	46630	2925 OLD ANSON RD	
VILLA RAYMOND MARTINEZ	46746	2933 OLD ANSON RD	
DULANEY DALLAS DAVID &	47114	2901 OLD ANSON RD	
CORNELIUS JULIA &	91073	2841 OLD ANSON RD	O
HOWISON DAVID & DENISE	117139	2836 OLD ANSON RD	O
VENUGOPALA SOWMYA	969335	2910 OLD ANSON RD	
JWDW PROPERTIES II LLC	1084626	2934 OLD ANSON RD	

LOCATION MAP



ZONING MAP



CASE #: Z-2022-23

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: CORNELIUS JULIA &

Parcel I.D.: 91073

Address: 2841 OLD ANSON 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:

Signature: Julia Cornelius
Joseph R. Hanks

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

CASE #: Z-2022-23

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: HOWISON DAVID & DENISE

Parcel I.D.: 117139

Address: 2836 OLD ANSON 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:

See attached letter

Signature: _____

David R. Howison
Denise Howison



Holland, Adam <adam.holland@abilenetx.gov>

[Planning] Fwd: Ref: Zone Change Application # Z-2022-23

Gary Westbrook <gwwestbro@gmail.com>
To: planning@abilenetx.gov

Wed, Sep 28, 2022 at 4:32 PM

From:
Westbrook Gary W & Debra K
Parcel I.D.: 40266
[2828 Old Anson Rd, Abilene, Tx 79603](#)

I am NOT in favor of this zoning change to purely Multi-family (MF) Housing on the .843 acre property of J.R. Shipman Survey No., 85, City of Abilene, Taylor Co., Texas

As you can see on the map you provided, the back corner of my house and my entire fenced back yard will border any multifamily (most likely multistory) dwelling that will be built on that site. Buildings of existing Anson Park Apartment buildings bordering my north and west fenceline along with this new development, take up the entirety of the north and west border of my property. My neighbors backyard will be bordered by the entire west side of the developing property and any future buildings that will be built will be looking directly down into his backyard. They and I will have absolutely no privacy should a multilevel building be built, which is extremely likely. Please see amended map.

Because of current residents of the Anson Park Apartments I pick up at least one or two trash bags full of bottles, fast food trash and diapers along the border of my property with the Anson Park Apartments once a month. I've complained to the property managers several times to no avail.

I have already had fence boards broken out and trespassers doing drug deals on the west end of my property. See photos. I anticipate this will only increase, but won't just be at the back of my place but in my backyard proper.

We already feel like we're in a fishbowl and because of the lights from the existing properties it feels like daylight all night long. If multistory buildings are built on the .843 acre property just at the corner of my home and the back of my neighbors home, that will only get worse as well, plus we cannot expect to enjoy future family backyard cookouts as we can expect people on their balconies peering down into our backyard.

Please consider how you would feel in this situation and vote your conscience based on this information.

Thank you,
Gary W and Debra K Westbrook

--

You received this message because you are subscribed to the Google Groups "Planning Services" group.
To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@abilenetx.gov.

To view this discussion on the web visit https://groups.google.com/a/abilenetx.gov/d/msgid/planning/CAC-_xzL869SLp%2BwDE5Mmr69-b77na3515aPMu1RFD4YQLO3OmA%40mail.gmail.com.

3 attachments



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2116K



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1280K



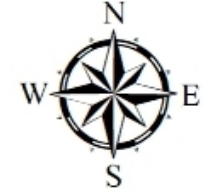
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1321K

Case:	Z-2022-23
Owner:	Fuad Hamed
Request:	Rezone from MF and AO to MF
Location:	2900 Block of Old Anson Road
Notification:	0 in Favor, 3 Opposed
Planning & Zoning:	October 4, 2022
City Council Hearing:	October 27, 2022 November 3, 2022
Super Majority Vote Required:	The owners of 27.75% of the land area that received notice are opposed to the request.

Z-2022-23 LOCATION MAP



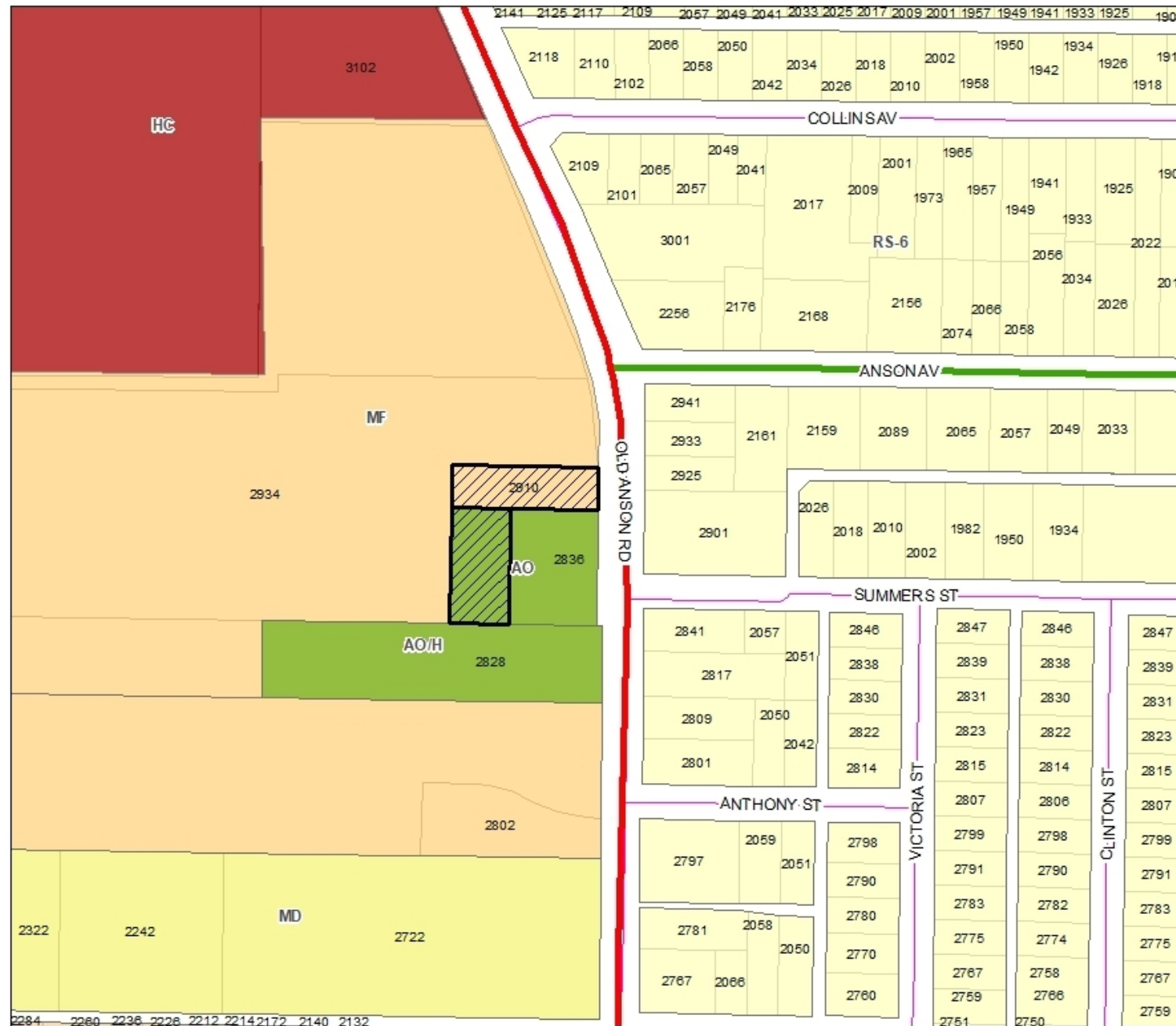
Location map



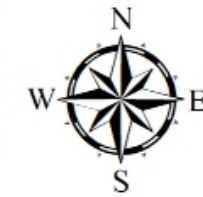
Legend

-  Z-2022-23
-  CourierParcels

Z-2022-23 ZONING MAP



Zoning Map



Legend

- Z-2022-23
- Arterial
- Collector
- AO - Agricultural Open Space
- RS-6: Residential Single-Family
- MD: Medium Density Residential
- MF: Multi-Family Residential
- HC: Heavy Commercial

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

Permitted Uses in MF Zoning

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

P
C
TP

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



East Neighboring Property



Subject Property

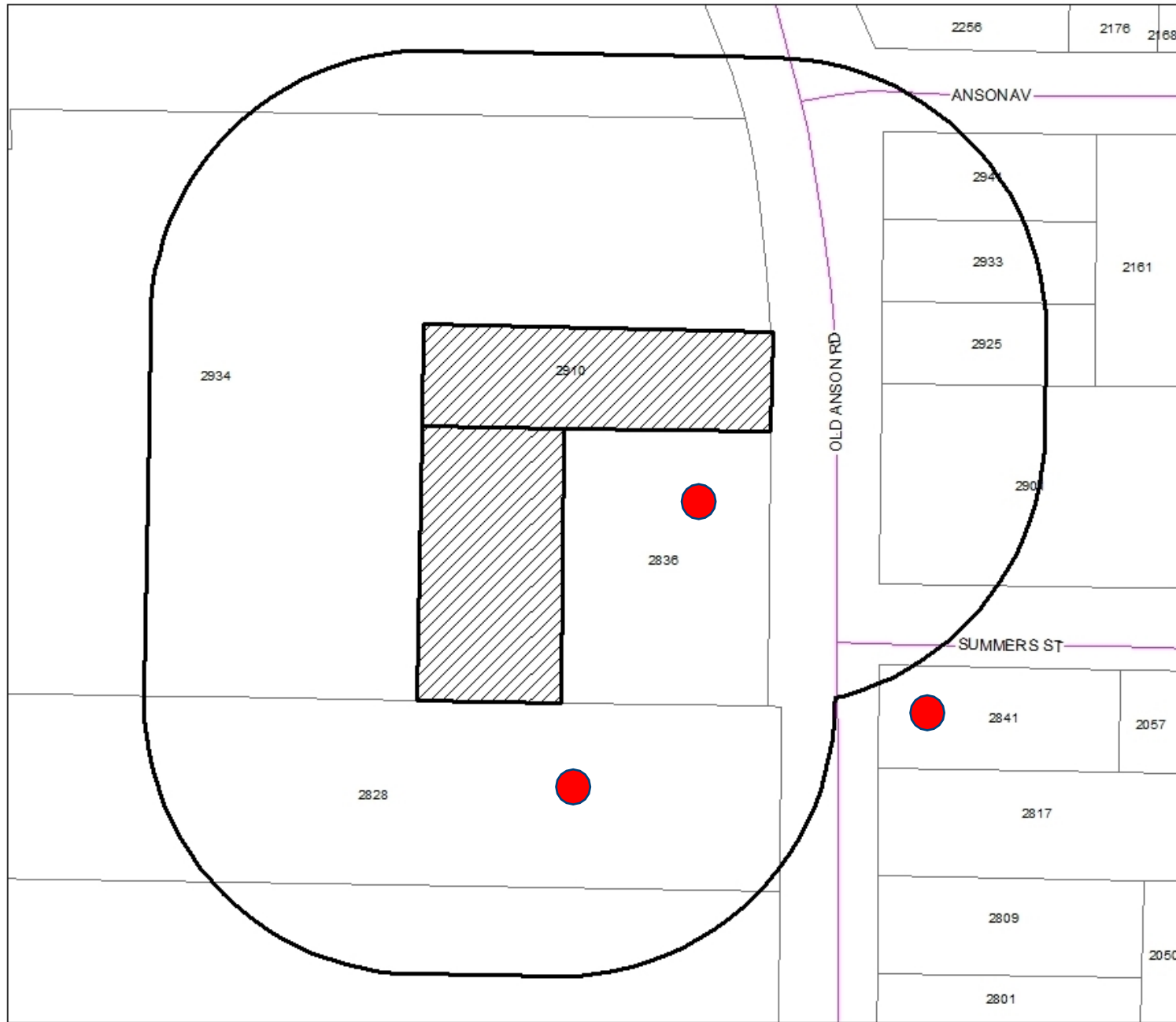


North Neighboring Property

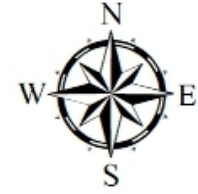


South Neighboring Property

Z-2022-23 NOTIFICATION AREA MAP



Notification Map



Legend

- 200' Buffer
- Z-2022-23

0- In Favor- 
3- Opposed- 
27.75% Opposed

The proposed request is consistent with:

- The *Comprehensive Plan*;
 - The surrounding uses and zoning;
 - Generally accepted planning principals; and
 - The Criteria for Approval in the LDC.
-
- P & Z Recommendation: **Approval**

Questions?



**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: **12. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Approving Tax Increment Reinvestment Zone (TIRZ) #3 (Robert Hanna)**

GENERAL INFORMATION

Staff has discussed the creation of TIRZ No. 3 with the Council in executive session over previous meeting cycles. The time has come to publicly discuss and consider the creation of Abilene's third Tax Increment Reinvestment Zone. TIRZ No. 3 would be created for a single family residential development that is expected to create \$436 million in incremental taxable value, and the addition of 911 single family homes to Abilene's north side.

TIRZ No. 3 is limited to 25% of the City of Abilene's increment. For FY 2023, the City levies a tax rate of \$0.76210 per \$100 valuation. TIRZ No. 3 would receive 25% of this levy, or \$0.1905250 per \$100 valuation. The remaining \$0.571575 per \$100 valuation will go to the City of Abilene's general fund. Over the 20 year life of TIRZ No. 3, it is anticipated that \$13,588,164 would be generated for the TIRZ, and \$40,764,491 would be generated for the City's general fund. It is anticipated that AISD and Taylor County collectively, would receive \$126,720,636 over the 20 year life of the TIRZ.

TIRZ No. 3 would be created to fund a portion of the public improvements required to service the subdivision. In particular, offsite water and sewer improvements that are needed to serve the development, and onsite stormwater utility improvements that are needed to serve the development and also manage stormwater offsite runoff impacts associated with the development. It is anticipated that the incentive amount would total approximately \$10,500,000. The actual amount will be limited to the lesser of the actual cost to build the authorized improvements, or the maximum amount generated by TIRZ No. 3 (\$13,588,164) in the event construction costs exceed preliminary estimates. In no event would the incentive exceed the amount generated by the TIRZ. The incentive structure proposed is on a reimbursable basis, meaning the developer is repaid annually over time as the improvements are constructed and the

development progresses over the course of the 20 year period and the increment is collected.

The item before the Council today will create TIRZ No. 3 upon final adoption by the City Council on November 17, 2022. It is anticipated that the staff would then bring forward a reimbursement agreement spelling out the public improvements to be paid for by TIRZ No. 3, and the associated obligations of the City and the Developer. The reimbursement agreement will need to be approved by both the Board of Directors for TIRZ No. 3, and the City Council. In order to set the base value in 2022, staff is asking the Council to create the TIRZ before the end of calendar year 2022.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The total taxes due to all jurisdictions for this development site totaled \$957.80 for the 2022 tax year. At full development in 2036, total taxes due to all jurisdictions will total \$11,053,608.93 annually (assuming the current rate of \$2.53890 per \$100, and the proposed development schedule is maintained).

STAFF RECOMMENDATION

Staff recommends approval of the item as submitted.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Ordinance Creating TIRZ No 3
2. Exhibit C - Preliminary Project and Financing Plan
3. TIRZ No 3 Public Hearing Notice
4. Presentation

CITY OF ABILENE, TEXAS

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER THREE, CITY OF ABILENE; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Abilene, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous geographic area that is in the corporate limits of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City, which is more specifically described in *Exhibits "A" and "B"* of this Ordinance (the "Zone"), through the creation of a new reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Three, City of Abilene*, attached as *Exhibit C* (hereinafter referred to as the “Preliminary Project and Finance Plan”) for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on November 09, 2022, which date is before the seventh (7th) day before the public hearing held on November 17, 2022; and

WHEREAS, at the public hearing on November 17, 2022, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given

a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on November 17, 2022, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on November 17, 2022; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance Plan has been prepared for the proposed reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on creation of the proposed reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits "A" and "B"* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- (c) That the proposed reinvestment zone, as defined in *Exhibits "A" and "B"*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

- 1. It is a geographic area located wholly within the City limits of the City; and

2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.
- (d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and
- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 25 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and
- (g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits “A” and “B” hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number Three, City of Abilene, Texas (hereinafter referred to as the “Zone”).

SECTION 4. BOARD OF DIRECTORS.

That a board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members appointed by the Mayor and confirmed by the City Council per Section 311.009 of the Texas Tax Code. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one member of the board. The number of directors on the Board of Directors shall be increased by one for each taxing unit that appoints a director to the board; provided, that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan.

SECTION 5. DURATION OF THE ZONE.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2042 (with the final year's tax increment to be collected by September 1, 2043); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2022, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) twenty-five percent (25%) of the City's tax increment generated by the City's tax rate, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND.

That there is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition,

all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code. After the termination of the Zone, after all project costs and other obligations have been paid, any money remaining in the fund shall be disbursed back to the participating taxing units in proportion to each jurisdiction's share of the total tax increments collected, pursuant to Section 311.014(d).

SECTION 8. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 9. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

PASSED AND APPROVED ON this _____ day of November 2022.

CITY OF ABILENE

Anthony Williams, Mayor

ATTEST:

Shawna Atkinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Stanley Smith
City Attorney

Robert Hanna
City Manager

EXHIBIT A
BOUNDARY DESCRIPTION

Beginning at the northwest corner of Property ID 77146, continuing east along the northern boundary of Property ID 77146 to the point it meets Property ID 22450, thence

Continuing east along the northern boundary of Property ID 22450 to the point it meets the northwest corner of Property ID 25735 where it meets the southern right of way boundary of 10th Street, thence

East along the southern right of way boundary of 10th Street to the point it meets the western right of way boundary of Jake Roberts Freeway, thence

South along the western right of way boundary of Jake Roberts Freeway to the point it meets the northeast corner of Property ID 60604, thence

South along the eastern boundary of Property ID 60604 to the point it meets the northeast corner of Property ID 61268, thence

South along the eastern boundary of Property ID 61268 to the point it meets the northern right of way boundary of Interstate 20, thence

West along the northern right of way boundary of Interstate 20 to the point it meets the southeast corner of Property ID 60755, thence

North along the eastern boundary of Property ID 60755, continuing west along the northern boundary to the point it meets Property ID 10381, thence

South along the eastern boundary of Property ID 10381, continuing west along the southern boundary to the point it meets the southeast corner of Property ID 10497, thence

West along the southern boundary of Property ID 10497, continuing north along the western boundary to the point it meets the southern boundary of Property ID 58751, thence

West along the southern boundary of Property ID 58751, continuing north along the western boundary to the point it meets the southern boundary of Property ID 77146, thence

West along the southern boundary of Property ID 77146, continuing north along the western boundary to the northwest corner of Property ID 77146, which is the point of beginning.

EXHIBIT B
BOUNDARY MAP

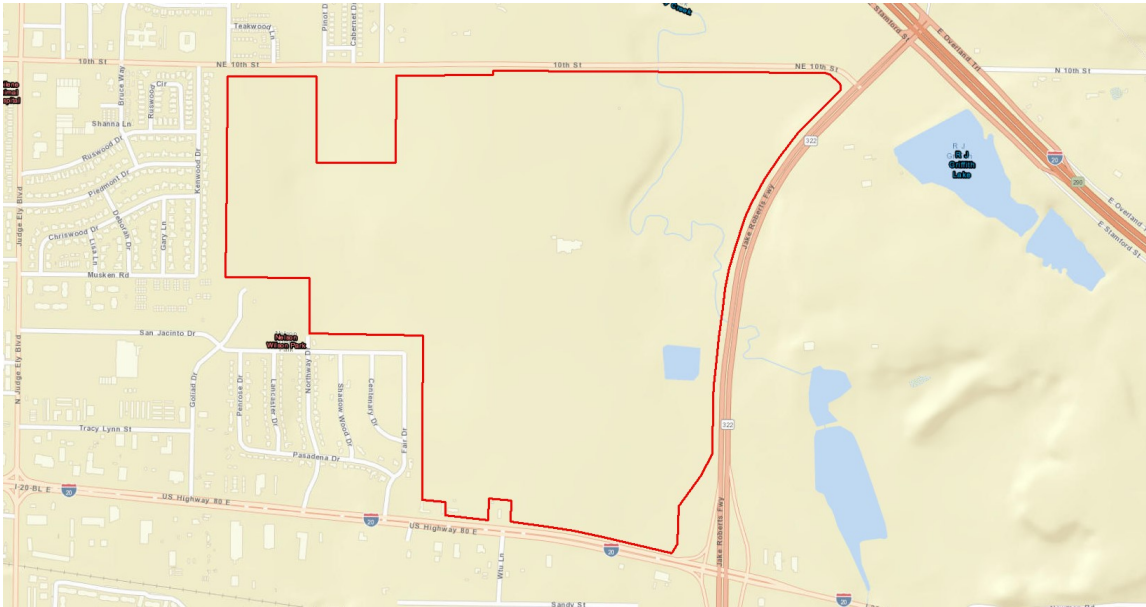
 - TIRZ Boundary

EXHIBIT C
PRELIMINARY PROJECT PLAN AND FINANCE PLAN

Tax Increment Reinvestment Zone #3

City of Abilene, Texas



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DISCLAIMER

Our conclusions and recommendations are based on current market conditions and the expected performance of the national, and/or local economy and real estate market. Given that economic conditions can change and real estate markets are cyclical, it is critical to monitor the economy and real estate market continuously, and to revisit key project assumptions periodically to ensure that they are still justified.

The future is difficult to predict, particularly given that the economy and housing markets can be cyclical, as well as subject to changing consumer and market psychology. There will usually be differences between projected and actual results because events and circumstances frequently do not occur as expected, and the differences may be material.



The City of Abilene, Texas serves as the county seat for Taylor County and is located approximately 180 miles west of the Dallas/Fort Worth Metroplex, near the geographic center of the state. Conveniently connected east-west by Interstate Highway 20, and north-south by U.S. highways 83, 84, and 277, Abilene is the center of a 22-county area commonly referred to as the Big Country.

Abilene functions as a regional center for distribution, commerce, industry, transportation, and education, providing an assortment of lodging, dining, cultural, and retail opportunities. Residents enjoy a thriving arts scene, unique museums, sporting events, parks, children’s activities, hunting, fishing and more.

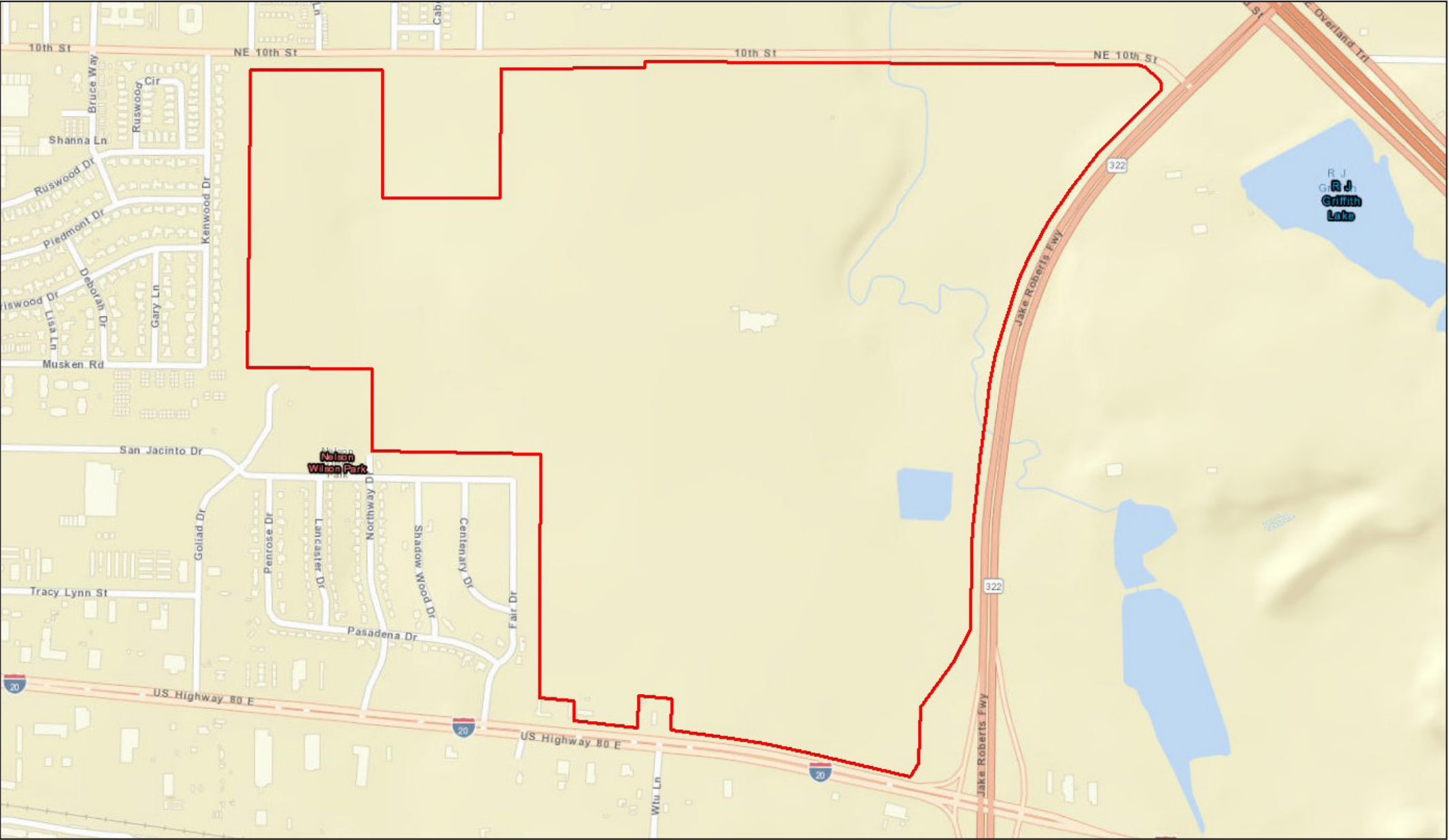
Supported by a regional workforce of over 140,000, ample space for expansion, and reliable and convenient infrastructure, Abilene is the obvious region of choice for big-time employers such as Dyess Air Force Base, Hendrick Health System, Abilene Christian University, and Blue Cross Blue Shield.



Tax Increment Reinvestment Zone #3, City of Abilene

On November 17, 2022, the City Council of the City of Abilene, Texas (the “Council”), pursuant to Chapter 311 of the Texas Tax Code, will consider an ordinance to designate a contiguous geographic area within the City as a Reinvestment Zone Number Three, City of Abilene, Texas. The goal of Tax Increment Reinvestment Zone #3 (TIRZ #3) is to continue funding the construction of needed public infrastructure and to encourage private development that will yield additional tax revenue to all local taxing jurisdictions.

This preliminary project and financing plan outlines the funding of \$13,588,164 in public improvements related to water, sanitary sewer, and storm water facilities, as well as street and intersection improvements, open space and park facilities, utilities and street lighting, and economic development grants. The TIRZ can fund these improvements through ad valorem participation of eligible taxing jurisdictions, including the City of Abilene. Without the implementation of the TIRZ, the specified property would continue to impair the sound growth of the municipality.



 - TIRZ Boundary

TIRZ Boundary

Boundary Description

TIRZ #3 consists of approximately 420.77 acres located wholly within the city limits of the City of Abilene. The legal description for the zone is described in detail below.

Legal Description TIRZ #3

Beginning at the northwest corner of Property ID 77146, continuing east along the northern boundary of Property ID 77146 to the point it meets Property ID 22450, thence

Continuing east along the northern boundary of Property ID 22450 to the point it meets the northwest corner of Property ID 25735 where it meets the southern right of way boundary of 10th Street, thence

East along the southern right of way boundary of 10th Street to the point it meets the western right of way boundary of Jake Roberts Freeway, thence

South along the western right of way boundary of Jake Roberts Freeway to the point it meets the northeast corner of Property ID 60604, thence

South along the eastern boundary of Property ID 60604 to the point it meets the northeast corner of Property ID 61268, thence

South along the eastern boundary of Property ID 61268 to the point it meets the northern right of way boundary of Interstate 20, thence

West along the northern right of way boundary of Interstate 20 to the point it meets the southeast corner of Property ID 60755, thence

North along the eastern boundary of Property ID 60755, continuing west along the northern boundary to the point it meets Property ID 10381, thence

South along the eastern boundary of Property ID 10381, continuing west along the southern boundary to the point it meets the southeast corner of Property ID 10497, thence

West along the southern boundary of Property ID 10497, continuing north along the western boundary to the point it meets the southern boundary of Property ID 58751, thence

West along the southern boundary of Property ID 58751, continuing north along the western boundary to the point it meets the southern boundary of Property ID 77146, thence

West along the southern boundary of Property ID 77146, continuing north along the western boundary to the northwest corner of Property ID 77146, which is the point of beginning.

Current Conditions

Land Use

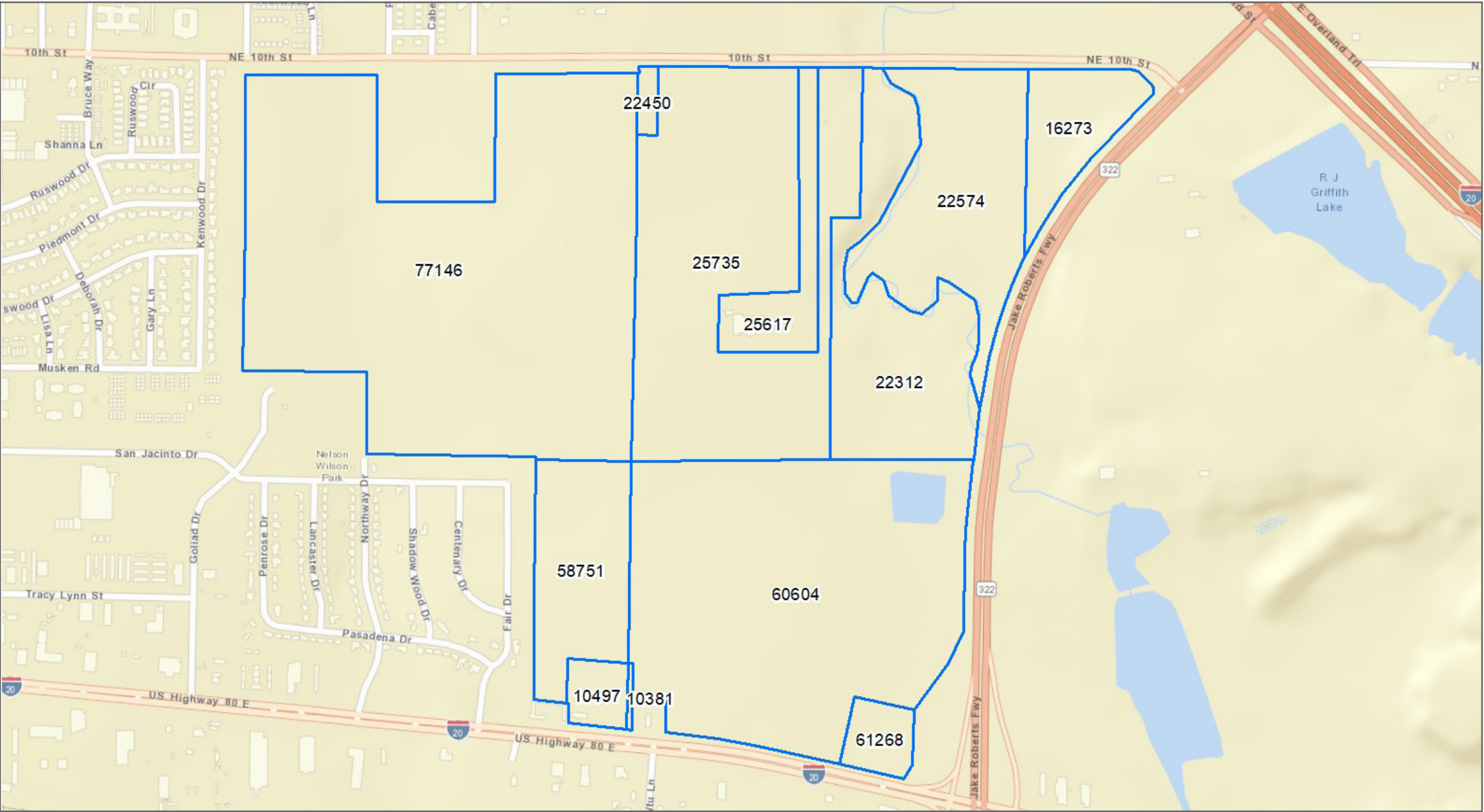
The land within the zone is vacant land that is well positioned for new development.

Method of Relocating Persons to be Displaced

It is not anticipated that any persons will be displaced or need to be relocated as result of the implementation of the TIRZ.

Current Ownership

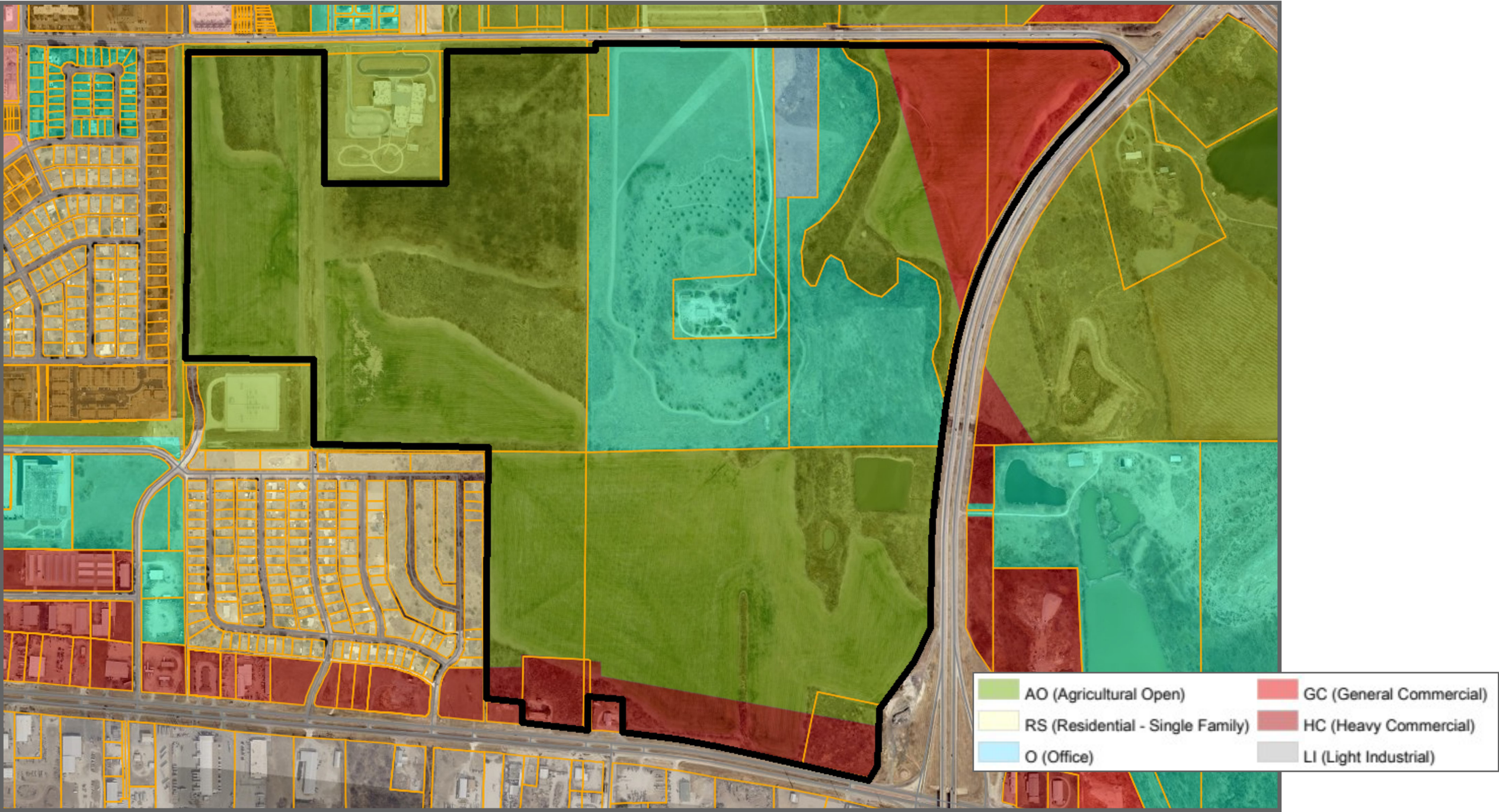
There are currently twelve parcels within Tax Increment Reinvestment Zone #3, all of which are owned by Abilene Christian University. The 2022 estimated taxable base value of the property within the TIRZ is \$1,736,565. For further details of parcels included within the TIRZ see **Appendix A**.



Zoning

The zoning for the property within the TIRZ can be seen in the map below, with the majority if the land within the zone being currently zoned AO- Agricultural Open, shaded in green.

The property may need to be rezoned to accomodate any future development. It is not anticipated there will be any changes to the City of Abilene zoning ordinance, master plan, building codes, subdivision rules and regulations or other municipal ordinances as a result of the TIRZ.



Proposed Development

The land within the zone is well positioned for future development. In 2022, the conceptual site plan shown below was produced. The site plan shows a single family development with a total of 911 lots in a variety of sizes.



LOT COUNT:	
50' Lots:	86
55' Lots:	386
60' Lots:	48
70' Lots:	294
100' Lots:	77
130' Lots:	20
TOTAL LOTS:	911

ACU Trail Ridge - Overall Site Plan

SCALE: 1" = 300' - 0"
 AT 22" X 34"

PAGE 2

Anticipated Development

The table to the right provides an overview of the potential development that DPED projects will occur during the life of the TIRZ based on the site plan on the previous page, along with estimated dates of when the development construction will begin and be completed. It is anticipated that development that occurs within the TIRZ could be financed in part by incremental real property tax generated within the TIRZ.

	Start	Final Delivery	Units	Taxable Value PSF/Unit		Incremental Value
PHASE ONE						
55' LOTS	2024	2026	86	\$	425,000	\$ 36,550,000
60' LOTS	2024	2026	8	\$	510,000	\$ 4,080,000
70' LOTS	2024	2026	72	\$	595,000	\$ 42,840,000
100' LOTS	2024	2026	13	\$	680,000	\$ 8,840,000
130' LOTS	2024	2026	1	\$	765,000	\$ 765,000
			180			\$ 93,075,000
PHASE TWO						
55' LOTS	2026	2028	86	\$	425,000	\$ 36,550,000
60' LOTS	2026	2028	34	\$	510,000	\$ 17,340,000
70' LOTS	2026	2028	0	\$	595,000	\$ -
100' LOTS	2026	2028	0	\$	680,000	\$ -
130' LOTS	2026	2028	0	\$	765,000	\$ -
			120			\$ 53,890,000
PHASE THREE						
55' LOTS	2028	2030	86	\$	425,000	\$ 36,550,000
60' LOTS	2028	2030	52	\$	510,000	\$ 26,520,000
70' LOTS	2028	2030	12	\$	595,000	\$ 7,140,000
100' LOTS	2028	2030	3	\$	680,000	\$ 2,040,000
130' LOTS	2028	2030	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE FOUR						
55' LOTS	2030	2032	86	\$	425,000	\$ 36,550,000
60' LOTS	2030	2032	52	\$	510,000	\$ 26,520,000
70' LOTS	2030	2032	12	\$	595,000	\$ 7,140,000
100' LOTS	2030	2032	3	\$	680,000	\$ 2,040,000
130' LOTS	2030	2032	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE FIVE						
55' LOTS	2032	2034	86	\$	425,000	\$ 36,550,000
60' LOTS	2032	2034	52	\$	510,000	\$ 26,520,000
70' LOTS	2032	2034	12	\$	595,000	\$ 7,140,000
100' LOTS	2032	2034	3	\$	680,000	\$ 2,040,000
130' LOTS	2032	2034	0	\$	765,000	\$ -
			153			\$ 72,250,000
PHASE SIX						
55' LOTS	2034	2036	86	\$	425,000	\$ 36,550,000
60' LOTS	2034	2036	52	\$	510,000	\$ 26,520,000
70' LOTS	2034	2036	11	\$	595,000	\$ 6,545,000
100' LOTS	2034	2036	3	\$	680,000	\$ 2,040,000
130' LOTS	2034	2036	0	\$	765,000	\$ -
			152			\$ 71,655,000
Total		LOTS	911			\$ 435,370,000

Project Costs

Project Costs of the Zone

There are a number of improvements within Tax Increment Reinvestment Zone #3 that will be financed by in part by incremental real property tax generated within the TIRZ.

Proposed Project Costs		
Water Facilities and Improvements	\$ 3,397,041	25.0%
Sanitary Sewer Facilities and Improvements	\$ 3,397,041	25.0%
Storm Water Facilities and Improvements	\$ 3,397,041	25.0%
Street and Intersection Improvements	\$ 1,358,816	10.0%
Open Space, Park and Recreation Facilities and Improvements	\$ 679,408	5.0%
Utilities and Street Lighting	\$ 679,408	5.0%
Economic Development Grants	\$ 543,527	4.0%
Administrative Costs	\$ 135,882	1.0%
	\$ 13,588,164	100.0%

The categories listed in the table above outline various public improvements, and are meant to include all projects eligible under Chapter 311, Section 311.002 of the Texas Tax Code.

The costs illustrated in the table above are estimates and may be revised. Savings from one line item may be applied to a cost increase in another line item.

It is anticipated that the individual TIRZ project cost allocations will be evaluated on a case by case basis, consistent with the categories listed above, and brought forward to the TIRZ board and City Council for consideration.

Chapter 311 of the Texas Tax Code

Sec. 311.002.

- (1) “Project costs” means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. “Project costs” include:
- (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
- (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
- (C) real property assembly costs;
- (D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
- (E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
- (F) relocation costs;
- (G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
- (H) interest before and during construction and for one year after completion of construction, whether or not capitalized;
- (I) the cost of operating the reinvestment zone and project facilities;
- (J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
- (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
- (L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

Method of Financing

To fund the public improvements outlined on the previous page, the City of Abilene will contribute 25% of the real property increment within the Zone.

Debt Service

It is not anticipated at this time that the TIRZ will incur any bonded indebtedness.

Economic Feasibility Study

A taxable value analysis was developed as part of the project and financing plan to determine the economic feasibility of the project. The study examined the expected tax revenue the TIRZ would receive based on the previously outlined developments. A summary overview of the anticipated development square footages, the anticipated sales per square foot and the anticipated taxable value per square foot can be found on the table below.

The following pages show the estimated captured appraised value of the zone during each year of its existence and the net benefits of the zone to each of the local taxing jurisdictions as well as the method of financing and debt service.

Utilizing the information outlined in this feasibility study, we have found that the TIRZ is economically feasible and will provide the City and other taxing jurisdictions with economic benefits that would not occur without its implementation.

Real Property Tax		Participation	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.19052500

Personal Property Tax		Participation	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
2.53890000			0.00000000

Sales Tax		Participation	
City of Abilene - Regular	0.0100000	0.00%	0.0000000
City of Abilene - Property Tax Relief	0.0050000	0.00%	0.0000000
ECOA (0.25%)	0.0050000	0.00%	0.0000000
0.02000000			0.00000000

PHASE ONE : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE ONE	Final Delivery		AREA	REAL PROPERTY		BPP		SALES	
			SF/UNITS	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
	55' LOTS	2026	86	\$	425,000		\$ -		\$ -
	60' LOTS	2026	8	\$	510,000				
	70' LOTS	2026	72	\$	595,000				
	100' LOTS	2026	13	\$	680,000				
	130' LOTS	2026	1	\$	765,000				
	TOTAL		180		93,075,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL		REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	30.0%	\$ 14,202,354	=	\$ 14,202,354	+	\$ -	+	\$ -	-
Taylor County	22.4%	\$ 10,575,825	=	\$ 10,575,825	+	\$ -	+	\$ -	-
Abilene ISD	47.6%	\$ 22,536,291	=	\$ 22,536,291	+	\$ -	+	\$ -	-
	100.0%	\$ 47,314,470		\$ 47,314,470		\$ -		\$ -	-
		100.0%		100.0%		0.0%		0.0%	

TOTAL PARTICIPATION		TOTAL		REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	100.0%	\$ 3,550,589	=	\$ 3,550,589	+	\$ -	+	\$ -	-
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -	-
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -	-
	100.0%	\$ 3,550,589		\$ 3,550,589		\$ -		\$ -	-
		100.0%		100.0%		0.0%		0.0%	

NET BENEFIT		TOTAL		REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	24.3%	\$ 10,651,766	=	\$ 10,651,766	+	\$ -	+	\$ -	-
Taylor County	24.2%	\$ 10,575,825	=	\$ 10,575,825	+	\$ -	+	\$ -	-
Abilene ISD	51.5%	\$ 22,536,291	=	\$ 22,536,291	+	\$ -	+	\$ -	-
	100.0%	\$ 43,763,881		\$ 43,763,881		\$ -		\$ -	-
		100.0%		100.0%		0.0%		0.0%	

		Calendar Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																							
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	
55' LOTS				28	57	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	86	
86		-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145	
TAXABLE VALUE					25,097,569	38,787,152	39,562,895	40,354,153	41,161,236	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448	
60' LOTS				3	5	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
8			510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974	
TAXABLE VALUE				1,373,328	2,801,589	4,329,729	4,416,323	4,504,650	4,594,743	4,686,638	4,780,370	4,875,978	4,973,497	5,072,967	5,174,427	5,277,915	5,383,473	5,491,143	5,600,966	5,712,985	5,827,245	5,943,790	
70' LOTS				24	48	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	72	
72			595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803	
TAXABLE VALUE				14,419,944	29,416,686	45,462,151	46,371,394	47,298,822	48,244,798	49,209,694	50,193,888	51,197,766	52,221,721	53,266,155	54,331,478	55,418,108	56,526,470	57,657,000	58,810,140	59,986,342	61,186,069	62,409,791	
100' LOTS				4	9	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	
13			680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632	
TAXABLE VALUE				2,975,544	6,070,110	9,381,079	9,568,700	9,760,074	9,955,276	10,154,381	10,357,469	10,564,618	10,775,911	10,991,429	11,211,257	11,435,483	11,664,192	11,897,476	12,135,426	12,378,134	12,625,697	12,878,211	
130' LOTS				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
1			765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
TAXABLE VALUE				780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461	
SF (CUMMULATIVE UNITS)				60	119	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	
REAL PROPERTY	TOTAL TAXABLE VALUE	-		16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	
City of Abilene		-	-	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354
Taylor County		-	-	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,387	630,755	643,370	656,238	669,362	682,750	696,405	10,575,825
Abilene ISD		-	-	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,217,386	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	22,536,291
Total		-	-	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,505,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																							
City of Abilene		-	-	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354
Taylor County		-	-	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,387	630,755	643,370	656,238	669,362	682,750	696,405	10,575,825
Abilene ISD		-	-	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,217,386	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	22,536,291
Total		-	-	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,505,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470
PARTICIPATION																							
REAL PROPERTY	Taxable Value	-	-	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	
City of Abilene		-	-	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,50

PHASE TWO : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE TWO		Final Delivery	AREA SF/UNITS	REAL PROPERTY \$ / SF TAX VALUE		BPP \$ / SF TAX VALUE		SALES \$ / SF TAX VALUE	
	55' LOTS	2028	86	\$ 425,000	\$ 36,550,000	\$ -	\$ -	\$ -	-
	60' LOTS	2028	34	\$ 510,000	\$ 17,340,000				
	70' LOTS	2028	-	\$ 595,000	\$ -				
	100' LOTS	2028	-	\$ 680,000	\$ -				
	130' LOTS	2028	-	\$ 765,000	\$ -				
TOTAL			120	53,890,000		-		-	

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	30.0%	\$ 8,278,776	=	\$ 8,278,776	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 6,164,815	=	\$ 6,164,815	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 13,136,759	=	\$ 13,136,759	+	\$ -	+	\$ -
	100.0%	\$ 27,580,351		\$ 27,580,351		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	100.0%	\$ 2,069,694	=	\$ 2,069,694	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 2,069,694		\$ 2,069,694		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	24.3%	\$ 6,209,082	=	\$ 6,209,082	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 6,164,815	=	\$ 6,164,815	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 13,136,759	=	\$ 13,136,759	+	\$ -	+	\$ -
	100.0%	\$ 25,510,657		\$ 25,510,657		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS						28	57	86	86	86	86	86	86	86	86	86	86	86	86	86	86	
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
	TAXABLE VALUE			-	-	12,799,760	26,111,511	40,354,153	41,161,236	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS						11	22	34	34	34	34	34	34	34	34	34	34	34	34	34	34	
	34		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
	TAXABLE VALUE			-	-	6,072,444	12,387,787	19,144,761	19,527,656	19,918,209	20,316,574	20,722,905	21,137,363	21,560,111	21,991,313	22,431,139	22,879,762	23,337,357	23,804,104	24,280,186	24,765,790	25,261,106
70' LOTS						-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	0		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
100' LOTS						-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	0		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
130' LOTS						-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SF (CUMMULATIVE UNITS)				-	-	40	79	120	120	120	120	120	120	120	120	120	120	120	120	120	120	
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554	
City of Abilene		-	-	-	-	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306
Taylor County		-	-	-	-	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530
Abilene ISD		-	-	-	-	228,222	465,572	719,520	733,911	748,589	763,561	778,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392
Total		-	-	-	-	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306
Taylor County		-	-	-	-	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530
Abilene ISD		-	-	-	-	228,222	465,572	719,520	733,911	748,589	763,561	778,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392
Total		-	-	-	-	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554
City of Abilene		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	107,869	220,052	340,081	346,883	353,820	360,897	368,115	375,477	382,986	390,646	398,459	406,428	414,557	422,848	431,305	439,931	448,730
Taylor County		-	-	-	-	107,100	21															

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE THREE		Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
				\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2030	86	\$	425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2030	52	\$	510,000	\$ 26,520,000				
70' LOTS	2030	12	\$	595,000	\$ 7,140,000				
100' LOTS	2030	3	\$	680,000	\$ 2,040,000				
130' LOTS	2030	-	\$	765,000	\$ -				
TOTAL			153		72,250,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	30.0%	\$ 9,894,978	=	\$ 9,894,978	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 7,368,324	=	\$ 7,368,324	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 15,701,347	=	\$ 15,701,347	+	\$ -	+	\$ -
	100.0%	\$ 32,964,648		\$ 32,964,648		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	100.0%	\$ 2,473,744	=	\$ 2,473,744	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 2,473,744		\$ 2,473,744		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL		SALES	
City of Abilene	24.3%	\$ 7,421,233	=	\$ 7,421,233	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 7,368,324	=	\$ 7,368,324	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 15,701,347	=	\$ 15,701,347	+	\$ -	+	\$ -
	100.0%	\$ 30,490,904		\$ 30,490,904		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Financial Feasibility Analysis

Calendar Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
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TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS								28	57	86	86	86	86	86	86	86	86	86	86	86	86	
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
	TAXABLE VALUE			-	-	-	-	13,316,871	27,166,416	41,984,461	42,824,150	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS								17	34	52	52	52	52	52	52	52	52	52	52	52	52	
	52		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
	TAXABLE VALUE			-	-	-	-	9,662,474	19,711,446	30,463,144	31,072,407	31,693,855	32,327,732	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS								4	8	12	12	12	12	12	12	12	12	12	12	12	12	
	12		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
	TAXABLE VALUE			-	-	-	-	2,601,435	5,306,928	8,201,616	8,365,648	8,532,961	8,703,620	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632
100' LOTS								1	2	3	3	3	3	3	3	3	3	3	3	3	3	
	3		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
	TAXABLE VALUE			-	-	-	-	743,267	1,516,265	2,343,319	2,390,185	2,437,989	2,486,749	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS								-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SF (CUMMULATIVE UNITS)				-	-	-	-	50	101	153	153	153	153	153	153	153	153	153	153	153	153	
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
32,964,648																						
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																						
City of Abilene		-	-	-	-	-	-	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
32,964,648																						
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,473,744																						
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SUMMARY																						
City of Abilene		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,473,744																						
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	-	-	150,462	306,942	474,365	483,852	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	618,187	1,261,102	1,948,976	1,987,956	2,027,715	2,068,269	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773
30,490,904																						
GROSS																						
City of Abilene		-	-	-	-	-	-	150,462	306,942	474,365	483,852	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	618,187	1,261,102	1,948,976	1,987,956	2,027,715	2,068,269	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773
30,490,904																						
GROSS																						
City of Abilene		-	-	-	-	-	-	150,462	306,942	474,365	483,852	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	318,337	649,407													

PHASE FOUR : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE FOUR	Final Delivery		AREA	REAL PROPERTY		BPP		SALES	
			SF/UNITS	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2032	86	\$	425,000	\$ 36,550,000		\$ -	\$ -	-
60' LOTS	2032	52	\$	510,000	\$ 26,520,000				
70' LOTS	2032	12	\$	595,000	\$ 7,140,000				
100' LOTS	2032	3	\$	680,000	\$ 2,040,000				
130' LOTS	2032	-	\$	765,000	\$ -				
TOTAL		153			72,250,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	30.0%	\$ 8,641,994	=	\$ 8,641,994	+	\$ -
Taylor County	22.4%	\$ 6,435,286	=	\$ 6,435,286	+	\$ -
Abilene ISD	47.6%	\$ 13,713,113	=	\$ 13,713,113	+	\$ -
	100.0%	28,790,394		\$ 28,790,394		\$ -
		100.0%		100.0%	0.0%	0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	100.0%	\$ 2,160,499	=	\$ 2,160,499	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -
	100.0%	\$ 2,160,499		\$ 2,160,499		\$ -
		100.0%		100.0%	0.0%	0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Abilene	24.3%	\$ 6,481,496	=	\$ 6,481,496	+	\$ -
Taylor County	24.2%	\$ 6,435,286	=	\$ 6,435,286	+	\$ -
Abilene ISD	51.5%	\$ 13,713,113	=	\$ 13,713,113	+	\$ -
	100.0%	\$ 26,629,896		\$ 26,629,896		\$ -
		100.0%		100.0%	0.0%	0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS										28	57	86	86	86	86	86	86	86	86	86	86	86
86		-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
TAXABLE VALUE				-	-	-	-	-	-	13,854,872	28,263,939	43,680,633	44,554,246	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS										17	34	52	52	52	52	52	52	52	52	52	52	52
52			510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
TAXABLE VALUE				-	-	-	-	-	-	10,052,837	20,507,788	31,693,855	32,327,732	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS										4	8	12	12	12	12	12	12	12	12	12	12	12
12			595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
TAXABLE VALUE				-	-	-	-	-	-	2,706,533	5,521,328	8,532,961	8,703,620	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632
100' LOTS										1	2	3	3	3	3	3	3	3	3	3	3	3
3			680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
TAXABLE VALUE				-	-	-	-	-	-	773,295	1,577,522	2,437,989	2,486,749	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS										-	-	-	-	-	-	-	-	-	-	-	-	-
0			765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
TAXABLE VALUE				-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SF (CUMMULATIVE UNITS)				-	-	-	-	-	-	50	101	153	153	153	153	153	153	153	153	153	153	153
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	208,720	425,790	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	695,342	1,418,498	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	208,720	425,790	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	695,342	1,418,498	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
28,790,394																						
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,160,499																						
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
2,160,499																						
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	156,540	319,342	493,529	503,400	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	-	-	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	643,162	1,312,051	2,027,715	2,068,269	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773
26,629,896																						

PHASE FIVE : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE FIVE		Final Delivery	AREA SF/UNITS	REAL PROPERTY \$ / SF TAX VALUE		BPP \$ / SF TAX VALUE		SALES \$ / SF TAX VALUE	
	55' LOTS	2034	86	\$ 425,000	\$ 36,550,000		\$ -	\$ -	-
	60' LOTS	2034	52	\$ 510,000	\$ 26,520,000				
	70' LOTS	2034	12	\$ 595,000	\$ 7,140,000				
	100' LOTS	2034	3	\$ 680,000	\$ 2,040,000				
	130' LOTS	2034	-	\$ 765,000	\$ -				
TOTAL			153		72,250,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	30.0%	\$ 7,338,391	=	\$ 7,338,391	+	\$ -
Taylor County	22.4%	\$ 5,464,554	=	\$ 5,464,554	+	\$ -
Abilene ISD	47.6%	\$ 11,644,556	=	\$ 11,644,556	+	\$ -
	100.0%	\$ 24,447,500		\$ -		\$ -
		100.0%		100.0%	0.0%	0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	100.0%	\$ 1,834,598	=	\$ 1,834,598	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -
	100.0%	\$ 1,834,598		\$ -		\$ -
		100.0%		100.0%	0.0%	0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL PROPERTY	SALES	
City of Abilene	24.3%	\$ 5,503,793	=	\$ 5,503,793	+	\$ -
Taylor County	24.2%	\$ 5,464,554	=	\$ 5,464,554	+	\$ -
Abilene ISD	51.5%	\$ 11,644,556	=	\$ 11,644,556	+	\$ -
	100.0%	\$ 22,612,903		\$ -		\$ -
		100.0%		100.0%	0.0%	0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS												28	57	86	86	86	86	86	86	86	86	86
86		-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
TAXABLE VALUE		-										14,414,609	29,405,802	45,445,331	46,354,238	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS												17	34	52	52	52	52	52	52	52	52	52
52			510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
TAXABLE VALUE												10,458,972	21,336,303	32,974,287	33,633,772	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS												4	8	12	12	12	12	12	12	12	12	12
12			595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
TAXABLE VALUE												2,815,877	5,744,389	8,877,693	9,055,246	9,236,351	9,421,078	9,609,500	9,801,690	9,997,724	10,197,678	10,401,632
100' LOTS												1	2	3	3	3	3	3	3	3	3	3
3			680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
TAXABLE VALUE												804,536	1,641,254	2,536,484	2,587,213	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS																						
0			765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
TAXABLE VALUE																						
SF (CUMMULATIVE UNITS)												50	101	153	153	153	153	153	153	153	153	153
REAL PROPERTY	TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	-	-	217,153	442,992	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	-	-	723,434	1,475,805	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	-	-	217,153	442,992	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	-	-	723,434	1,475,805	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309
24,447,500																						
PARTICIPATION																						
REAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607
City of Abilene		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
PERSONAL PROPERTY	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX	Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
Taylor County		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536
1,834,598																						
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene		-	-	-	-	-	-	-	-	-	-	162,865	332,244	513,468	523,737	534,212	544,896	555,794	566,910	578,248	589,813	601,609
Taylor County		-	-	-	-	-	-	-	-	-	-	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320
Abilene ISD		-	-	-	-	-	-	-	-	-	-	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844
Total		-	-	-	-	-	-	-	-	-	-	669,146	1,365,058	2,109,634	2,151,827	2,194,864	2,238,761	2,283,536	2,329,207	2,375,791	2,423,307	2,471,773
22,612,903																						

PHASE SIX : INPUT & OUTPUT

► INPUT

INFLATION RATE	2.00%
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DISCOUNT RATE	6.00%
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REAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.1905250

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Abilene	0.76210000	0%	0.0000000
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.0000000

City of Abilene - Regular	0.01000000	0%	0.0000000
City of Abilene - Property Tax Relief	0.00500000	0%	0.0000000
ECOA (0.25%)	0.00500000	0%	0.0000000
	0.02000000		0.0000000

PHASE SIX	Final Delivery	AREA SF/UNITS	REAL PROPERTY		BPP		SALES	
			\$ / SF	TAX VALUE	\$ / SF	TAX VALUE	\$ / SF	TAX VALUE
55' LOTS	2036	86	\$ 425,000	\$ 36,550,000		\$ -	\$ -	\$ -
60' LOTS	2036	52	\$ 510,000	\$ 26,520,000				
70' LOTS	2036	11	\$ 595,000	\$ 6,545,000				
100' LOTS	2036	3	\$ 680,000	\$ 2,040,000				
130' LOTS	2036	-	\$ 765,000	\$ -				
TOTAL		152		71,655,000		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	30.0%	\$ 5,932,857	=	\$ 5,932,857	+	\$ -	+	\$ -
Taylor County	22.4%	\$ 4,417,919	=	\$ 4,417,919	+	\$ -	+	\$ -
Abilene ISD	47.6%	\$ 9,414,255	=	\$ 9,414,255	+	\$ -	+	\$ -
	100.0%	\$ 19,765,031		\$ 19,765,031		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	100.0%	\$ 1,483,214	=	\$ 1,483,214	+	\$ -	+	\$ -
Taylor County	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
Abilene ISD	0.0%	\$ -	=	\$ -	+	\$ -	+	\$ -
	100.0%	\$ 1,483,214		\$ 1,483,214		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

NET BENEFIT		TOTAL	REAL PROPERTY		PERSONAL PROPERTY		SALES	
City of Abilene	24.3%	\$ 4,449,643	=	\$ 4,449,643	+	\$ -	+	\$ -
Taylor County	24.2%	\$ 4,417,919	=	\$ 4,417,919	+	\$ -	+	\$ -
Abilene ISD	51.5%	\$ 9,414,255	=	\$ 9,414,255	+	\$ -	+	\$ -
	100.0%	\$ 18,281,817		\$ 18,281,817		\$ -		\$ -
		100.0%		100.0%		0.0%		0.0%

Financial Feasibility Analysis

Calendar Year		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
TOTAL TAX REVENUE																						
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
55' LOTS														28	57	86	86	86	86	86	86	86
	86	-	425,000	433,500	442,170	451,013	460,034	469,234	478,619	488,191	497,955	507,914	518,073	528,434	539,003	549,783	560,778	571,994	583,434	595,103	607,005	619,145
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	14,996,959	30,593,797	47,281,322	48,226,949	49,191,488	50,175,318	51,178,824	52,202,400	53,246,448
60' LOTS														17	34	52	52	52	52	52	52	52
	52		510,000	520,200	530,604	541,216	552,040	563,081	574,343	585,830	597,546	609,497	621,687	634,121	646,803	659,739	672,934	686,393	700,121	714,123	728,406	742,974
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	10,881,515	22,198,290	34,306,448	34,992,577	35,692,428	36,406,277	37,134,402	37,877,090	38,634,632
70' LOTS														4	7	11	11	11	11	11	11	11
	11		595,000	606,900	619,038	631,419	644,047	656,928	670,067	683,468	697,137	711,080	725,302	739,808	754,604	769,696	785,090	800,792	816,807	833,144	849,807	866,803
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	2,685,502	5,478,424	8,466,655	8,635,989	8,808,708	8,984,882	9,164,580	9,347,872	9,534,829
100' LOTS														1	2	3	3	3	3	3	3	3
	3		680,000	693,600	707,472	721,621	736,054	750,775	765,790	781,106	796,728	812,663	828,916	845,495	862,404	879,653	897,246	915,190	933,494	952,164	971,207	990,632
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	837,040	1,707,561	2,638,958	2,691,737	2,745,571	2,800,483	2,856,492	2,913,622	2,971,895
130' LOTS														-	-	-	-	-	-	-	-	-
	0		765,000	780,300	795,906	811,824	828,061	844,622	861,514	878,745	896,319	914,246	932,531	951,181	970,205	989,609	1,009,401	1,029,589	1,050,181	1,071,185	1,092,608	1,114,461
	TAXABLE VALUE			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SF (CUMMULATIVE UNITS)				-	-	-	-	-	-	-	-	-	-	50	100	152	152	152	152	152	152	152
REAL PROPERTY		TOTAL TAXABLE VALUE	-	-	-	-	-	-	-	-	-	-	-	29,401,015	59,978,071	92,693,383	94,547,251	96,438,196	98,366,960	100,334,299	102,340,985	104,387,805
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	224,065	457,093	706,416	720,545	734,955	749,655	764,648	779,941	795,539
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	746,462	1,522,783	2,353,392	2,400,460	2,448,469	2,497,439	2,547,388	2,598,335	2,650,302
PERSONAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	224,065	457,093	706,416	720,545	734,955	749,655	764,648	779,941	795,539
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	746,462	1,522,783	2,353,392	2,400,460	2,448,469	2,497,439	2,547,388	2,598,335	2,650,302
PARTICIPATION																						
REAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	29,401,015	59,978,071	92,693,383	94,547,251	96,438,196	98,366,960	100,334,299	102,340,985	104,387,805
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
PERSONAL PROPERTY		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SALES TAX		Taxable Value	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
Taylor County			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total			-	-	-	-	-	-	-	-	-	-	-	56,016	114,273	176,604	180,136	183,739	187,414	191,162	194,985	198,885
TOTAL TAX REVENUE - PARTICIPATION = NET BENEFIT																						
SUMMARY																						
City of Abilene			-	-	-	-	-	-	-	-	-	-	-	168,049	342,820	529,812	540,408	551,217	562,241	573,486	584,955	596,655
Taylor County			-	-	-	-	-	-	-	-	-	-	-	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401
Abilene ISD			-	-	-	-	-	-	-	-	-	-	-	355,546	725,315	1,120,941	1,143,360	1,166,227	1,189,552	1,213,343	1,237,610	1,262,362
Total			-	-	-	-	-	-	-	-	-	-	-	690,446	1,408,510	2,176,788	2,220,324	2,264,730	2,310,025	2,356,226	2,403,350	2,451,417

Financial Feasibility Analysis - Proposed TIRZ Revenue

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES																										
TAXABLE BASE YEAR GROWTH DISCOUNT RATE				2.00% 6.00%																						
				REAL PROPERTY TAX			BUSINESS PERSONAL PROPERTY TAX			SALES TAX																
City of Abilene				0.7621000	25.0%	0.1905250	City of Abilene				0.7621000	0%	0.0000000	City of Abilene - Regular												
Taylor County				0.5675000	0%	0.0000000	Taylor County				0.5675000	0%	0.0000000	City of Abilene - Property Tax Relief												
Abilene ISD				1.2093000	0%	0.0000000	Abilene ISD				1.2093000	0%	0.0000000	ECOA (0.25%)												
				2.5399000		0.1905250					2.5399000		0.0000000													
TAX YEAR	BASE YEAR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20					
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	TOTALS				
BASE YEAR																										
	City of Abilene	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
	Taylor County	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
	Abilene ISD	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565				
TAXABLE VALUE																										
	City of Abilene	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
	Taylor County	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
	Abilene ISD	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444				
TAXABLE VALUE INCREMENT																										
	City of Abilene		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
	Taylor County		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
	Abilene ISD		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879				
REVENUE A																										
TAXABLE VALUE GROWTH																										
	City of Abilene		66	134	203	273	344	417	492	568	645	725	805	888	971	1,057	1,144	1,233	1,324	1,417	1,511	1,608	15,826	City of Abilene		
	Taylor County		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		66	134	203	273	344	417	492	568	645	725	805	888	971	1,057	1,144	1,233	1,324	1,417	1,511	1,608	15,826				
REVENUE 1																										
PHASE ONE																										
	REAL PROPERTY TAX	0	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,589	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	31,577	110,717	170,312	173,718	177,193	180,736	184,351	188,038	191,799	195,635	199,548	203,539	207,609	211,761	215,997	220,317	224,723	229,217	233,802	3,550,589				
REVENUE 2																										
PHASE TWO																										
	REAL PROPERTY TAX	0	0	0	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	35,956	73,351	113,360	115,628	117,940	120,299	122,705	125,159	127,662	130,215	132,820	135,476	138,186	140,949	143,768	146,644	149,577	2,069,694				
REVENUE 3																										
PHASE THREE																										
	REAL PROPERTY TAX	0	0	0	0	0	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,473,744	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	50,154	102,314	158,122	161,284	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,473,744				
REVENUE 4																										
PHASE FOUR																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	0	0	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,160,499	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	0	0	52,180	106,447	164,510	167,800	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	2,160,499				
REVENUE 5																										
PHASE FIVE																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	0	0	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607	0				
	BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	City of Abilene	0	0	0	0	0	0	0	0	0	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598	City of Abilene			
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Taylor County		
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Abilene ISD		
		0	0	0	0	0	0	0	0	0	54,288	110,748	171,156	174,579	178,071	181,632	185,265	188,970	192,749	196,604	200,536	1,834,598				
REVENUE 6																										
PHASE SIX																										
	REAL PROPERTY TAX	0	0	0	0	0	0	0	0																	

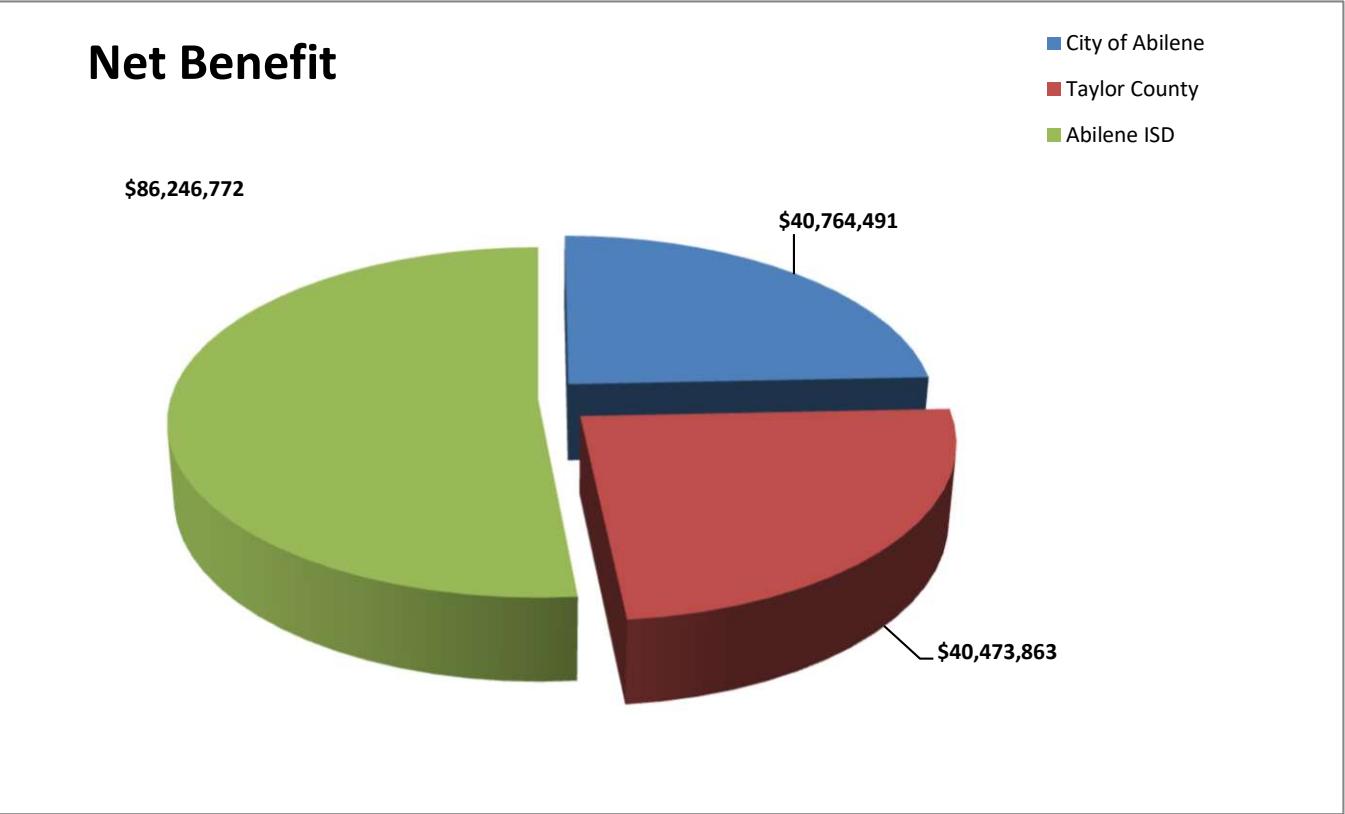
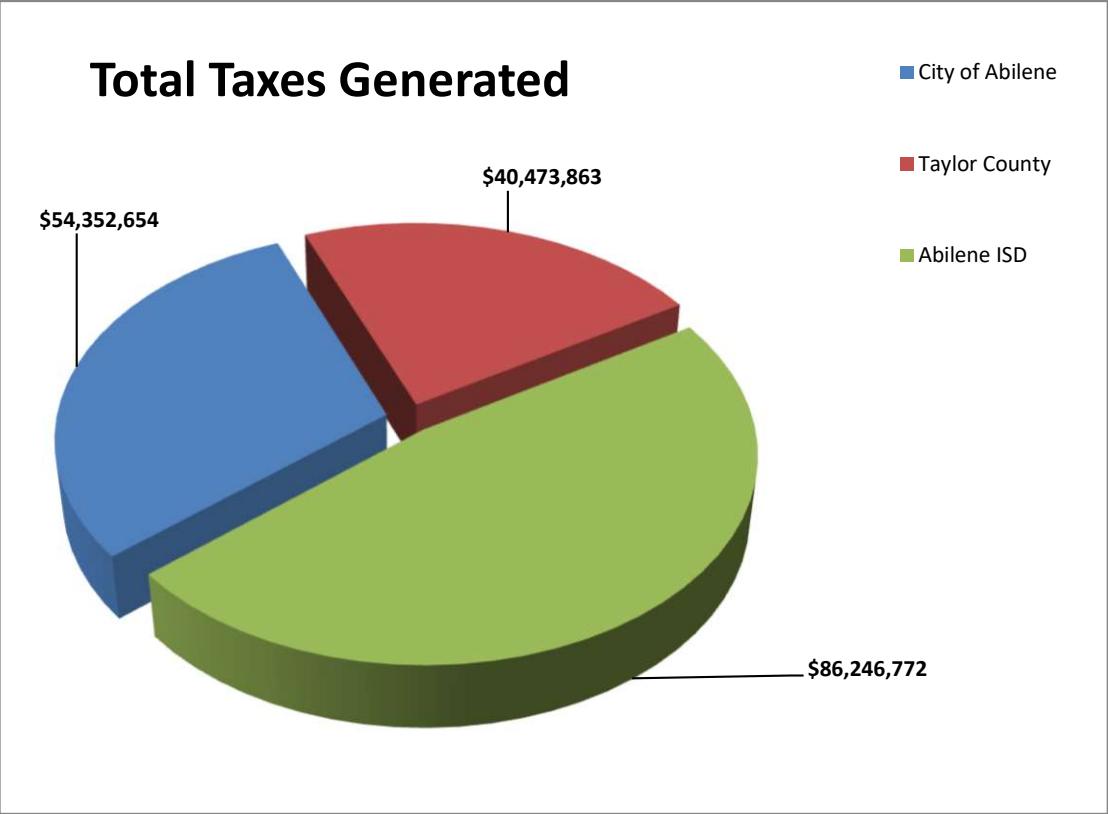
Financial Feasibility Analysis - 100% of Revenue

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES

TAXABLE BASE YEAR GROWTH DISCOUNT RATE										2.00% 6.00%																											
										REAL PROPERTY TAX			BUSINESS PERSONAL PROPERTY TAX			SALES TAX																					
City of Abilene										0.7621000			100%			0.7621000			0.0100000			100.00%			0.0100000			City of Abilene - Regular									
Taylor County										0.5675000			100%			0.5675000			0.0050000			100.00%			0.0050000			City of Abilene - Property Tax Relief									
Abilene ISD										1.2093000			100%			1.2093000			0.0050000			100.00%			0.0050000			ECOFA (0.25%)									
										2.5399000						2.5399000																					
										2.5399000						2.5399000																					
TAX YEAR	BASE YEAR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTALS															
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042																
BASE YEAR	City of Abilene	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565																
	Taylor County	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565																
	Abilene ISD	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565	1,736,565																
TAXABLE VALUE	City of Abilene	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444															
	Taylor County	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444															
	Abilene ISD	1,736,565	1,771,296	1,806,722	1,842,857	1,879,714	1,917,308	1,955,654	1,994,767	2,034,663	2,075,356	2,116,863	2,159,200	2,202,384	2,246,432	2,291,361	2,337,188	2,383,932	2,431,610	2,480,242	2,529,847	2,580,444															
TAXABLE VALUE INCREMENT	City of Abilene		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879															
	Taylor County		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879															
	Abilene ISD		34,731	70,157	106,292	143,149	180,743	219,089	258,202	298,098	338,791	380,298	422,635	465,819	509,867	554,796	600,623	647,367	695,045	743,677	793,282	843,879															
REVENUE A TAXABLE VALUE GROWTH	City of Abilene	265	535	810	1,091	1,377	1,670	1,968	2,272	2,582	2,898	3,221	3,550	3,886	4,228	4,577	4,934	5,297	5,668	6,046	6,431	63,304															
	Taylor County	197	398	603	812	1,026	1,243	1,465	1,692	1,923	2,158	2,398	2,644	2,893	3,148	3,409	3,674	3,944	4,220	4,502	4,789	47,140															
	Abilene ISD	420	848	1,285	1,731	2,186	2,649	3,122	3,605	4,097	4,599	5,111	5,633	6,166	6,709	7,263	7,829	8,405	8,993	9,593	10,205	100,451															
		882	1,781	2,699	3,634	4,589	5,562	6,555	7,568	8,602	9,655	10,730	11,827	12,945	14,086	15,249	16,436	17,647	18,881	20,141	21,425	210,895															
REVENUE 1 PHASE ONE																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	16,573,572	58,111,750	89,390,856	91,178,673	93,002,246	94,862,291	96,759,537	98,694,728	100,668,623	102,681,995	104,735,635	106,830,348	108,966,955	111,146,294	113,369,219	115,636,604	117,949,336	120,308,323	122,714,489																
	City of Abilene	0	126,307	442,870	681,248	694,873	708,770	722,946	737,404	752,153	767,196	782,539	798,190	814,154	830,437	847,046	863,987	881,267	898,892	916,870	935,207	14,202,354															
	Taylor County	0	94,055	329,784	507,293	517,439	527,788	538,344	549,110	560,093	571,294	582,720	594,375	606,262	618,387	630,755	643,370	656,238	669,362	682,750	696,405	10,575,825															
	Abilene ISD	0	200,424	702,745	1,081,004	1,102,624	1,124,676	1,147,170	1,170,113	1,193,515	1,241,733	1,266,568	1,291,899	1,317,737	1,344,092	1,370,974	1,398,393	1,426,361	1,454,889	1,483,986	1,513,091	22,536,291															
		0	420,786	1,475,399	2,269,544	2,314,935	2,361,234	2,408,459	2,456,628	2,605,760	2,555,876	2,606,993	2,659,133	2,712,316	2,766,562	2,821,893	2,878,331	2,935,898	2,994,616	3,054,508	3,115,598	47,314,470															
REVENUE 2 PHASE TWO																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	0	0	18,872,205	38,499,298	59,498,914	60,688,893	61,902,671	63,140,724	64,403,539	65,691,609	67,005,441	68,345,550	69,712,461	71,106,711	72,528,845	73,979,422	75,459,010	76,968,190	78,507,554																
	City of Abilene	0	0	0	143,825	293,403	453,441	462,510	471,760	481,195	490,819	500,636	510,648	520,861	531,279	541,904	552,742	563,797	575,073	586,575	598,306	8,278,776															
	Taylor County	0	0	0	107,100	218,484	337,656	344,409	351,298	358,324	365,490	372,800	380,256	387,861	395,618	403,531	411,601	419,833	428,230	436,794	445,530	6,164,815															
	Abilene ISD	0	0	0	228,222	465,572	719,520	733,911	748,589	763,561	782,832	794,409	810,297	826,503	843,033	859,893	877,091	894,633	912,526	930,776	949,392	13,136,759															
		0	0	0	479,146	977,459	1,510,618	1,540,830	1,571,647	1,603,080	1,635,141	1,667,844	1,701,201	1,735,225	1,769,930	1,805,328	1,841,435	1,878,264	1,915,829	1,954,145	1,993,228	27,580,351															
REVENUE 3 PHASE THREE																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	0	0	0	0	26,324,047	53,701,055	82,992,539	84,652,390	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607																
	City of Abilene	0	0	0	0	0	200,616	409,256	632,486	645,136	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	9,894,978															
	Taylor County	0	0	0	0	0	149,389	304,753	470,983	480,402	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	7,368,324															
	Abilene ISD	0	0	0	0	0	318,337	649,407	1,003,629	1,023,701	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	15,701,347															
		0	0	0	0	0	668,341	1,363,416	2,107,098	2,149,240	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	32,964,648															
REVENUE 4 PHASE FOUR																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	27,387,538	55,870,578	86,345,438	88,072,347	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607																
	City of Abilene	0	0	0	0	0	0	0	208,720	425,790	658,039	671,199	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	8,641,994															
	Taylor County	0	0	0	0	0	0	0	155,424	317,066	490,010	499,811	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	6,435,286															
	Abilene ISD	0	0	0	0	0	0	0	331,197	675,643	1,044,175	1,065,059	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	13,713,113															
		0	0	0	0	0	0	0	695,342	1,418,498	2,192,224	2,236,069	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	28,790,394															
REVENUE 5 PHASE FIVE																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	28,493,995	58,127,749	89,833,794	91,630,470	93,463,079	95,332,341	97,238,987	99,183,767	101,167,443	103,190,791	105,254,607																
	City of Abilene	0	0	0	0	0	0	0	0	0	217,153	442,992	684,623	698,316	712,282	726,528	741,058	755,879	770,997	786,417	802,145	7,338,391															
	Taylor County	0	0	0	0	0	0	0	0	0	161,703	329,875	509,807	520,003	530,403	541,011	551,831	562,868	574,125	585,608	597,320	5,464,554															
	Abilene ISD	0	0	0	0	0	0	0	0	0	344,578	702,939	1,086,360	1,108,087	1,130,249	1,152,854	1,175,911	1,199,429	1,223,418	1,247,886	1,272,844	11,644,556															
		0	0	0	0	0	0	0	0	0	723,434	1,475,805	2,280,790	2,326,406	2,372,934	2,420,393	2,468,801	2,518,177	2,568,540	2,619,911	2,672,309	24,447,500															
REVENUE 6 PHASE SIX																																					
	REAL PROPERTY TAX BUSINESS PERSONAL PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	29,401,015	59,978,071	92,693,383	94,547,251	96,438,196	98,366,960	100,334,299	102,340,985	104,387,805															
	City of Abilene	0	0	0	0	0	0	0	0	0	0	0	0	224,065	457,093	706,416	720,545	734,955	749,655	764,648	779,941	795,539															
	Taylor County	0	0	0	0	0	0	0	0	0	0	0	0	166,851	340,376	526,035	536,556	547,287	558,232	569,397	580,785	592,401															
	Abilene ISD	0	0	0	0	0	0	0	0	0	0	0	0	355,546	725,315</																						

Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIF	Net Benefit
City of Abilene	\$54,352,654	\$13,588,164	\$40,764,491
Taylor County	\$40,473,863	\$0	\$40,473,863
Abilene ISD	\$86,246,772	\$0	\$86,246,772
Total	\$181,073,290	\$13,588,164	\$167,485,126





Projects Cost Estimates:

All project costs listed in the project plan shall be considered estimates and shall not be considered a cap on expenditures.

Length of TIRZ #3 in Years:

The TIRZ has a 20 year term and is scheduled to end on December 31, 2042 (with the final year’s tax increment to be collected by September 1, 2043).

Powers and Duties of Board of Directors:

The Board shall have all powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- issue bonds;
- impose taxes or fees;
- exercise the power of eminent domain; or
- give final approval to the Zone’s project and financing plan.

Property ID	Owner	Legal Description	Acres	2022 Taxable Value	
25617	ABILENE CHRISTIAN UNIVERSITY	RAINY CREEK FARMS BLOCK A LOT PT LOT 1	10.55982	\$	1,482,117
10497	ABILENE CHRISTIAN UNIVERSITY	MILK PRODUCERS PLAT BLOCK 1 LOT W381 X 450	4.125057	\$	199,284
10381	ABILENE CHRISTIAN UNIVERSITY	MILK PRODUCERS PLAT BLOCK 1 LOT W69 X 450	0.444636	\$	10,480
77146	ABILENE CHRISTIAN UNIVERSITY	A0668 SUR 38 B A L NE/4 ACRES 148.332	133.332	\$	10,485
22574	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 35.64	34.28635	\$	4,891
22312	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 33.20	33.43172	\$	2,811
22450	ABILENE CHRISTIAN UNIVERSITY	A0633 SUR 39 B A L NW/4 ACRES 1.49	1.494175	\$	6,644
25735	ABILENE CHRISTIAN UNIVERSITY	RAINY CREEK FARMS BLOCK A LOT PT LOT 1	72.24172	\$	7,374
61268	ABILENE CHRISTIAN UNIVERSITY	LAUREN ENGINEERING ADDN BLK 1 LOT 1	5.01572	\$	315
58751	ABILENE CHRISTIAN UNIVERSITY	A0798 SUR 38 B A L SW/4 ACRES 23.14	21.5067	\$	2,083
60604	ABILENE CHRISTIAN UNIVERSITY	A0663 SUR 39 B A L SW/4 ACRES 90.38	91.41777	\$	9,019
16273	ABILENE CHRISTIAN UNIVERSITY	A0833 SUR 39 B A L NW/4 ACRES 11.802	12.91394	\$	1,062
		Total	420.77	\$	1,736,565

PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS TO CONSIDER THE ADVISABILITY OF THE CREATION OF REINVESTMENT ZONE NUMBER THREE, CITY OF ABILENE, TEXAS FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311, TEXAS TAX CODE

NOTICE IS HEREBY GIVEN THAT the City Council of the City of Abilene, Texas (the “City”), pursuant to Chapter 311.003 Texas Tax Code, as amended, (the “Act”), will hold a public hearing at **8:30 A.M. on Thursday, November 17, 2022**, at City Hall, 555 Walnut Street, Abilene, Texas for the purpose of considering the establishment of Tax Increment Reinvestment Zone Number Three. The proposed zone is located wholly within the city limits of the City of Abilene, and is generally located west of Jake Roberts Freeway, bound by North 10th Street to the north, and E. Hwy 80 to the south.

All persons are invited to attend the hearing and speak for or against the creation of Tax Increment Reinvestment Zone Number Three, City of Abilene, Texas, the proposed boundaries, or the concept of tax increment financing. Written or oral statements will be considered. The legal description and boundary map of the proposed Reinvestment Zone Number Three, City of Abilene, Texas, are on file and open for public inspection in the office of the City Secretary at City Hall, 555 Walnut Street, Abilene, Texas. Questions or requests for additional information may be directed to David Pettit, David Pettit Economic Development, LLC, dpettit@dpedllc.com; 817-439-9515.

Proposed Tax Increment Reinvestment Zone #3

City of Abilene, Texas

OCTOBER 2022



DAVID PETTIT
Economic Development

Purpose

- TIRZ Overview
- TIRZ Creation Process
- Proposed TIRZ #3
- Next Steps

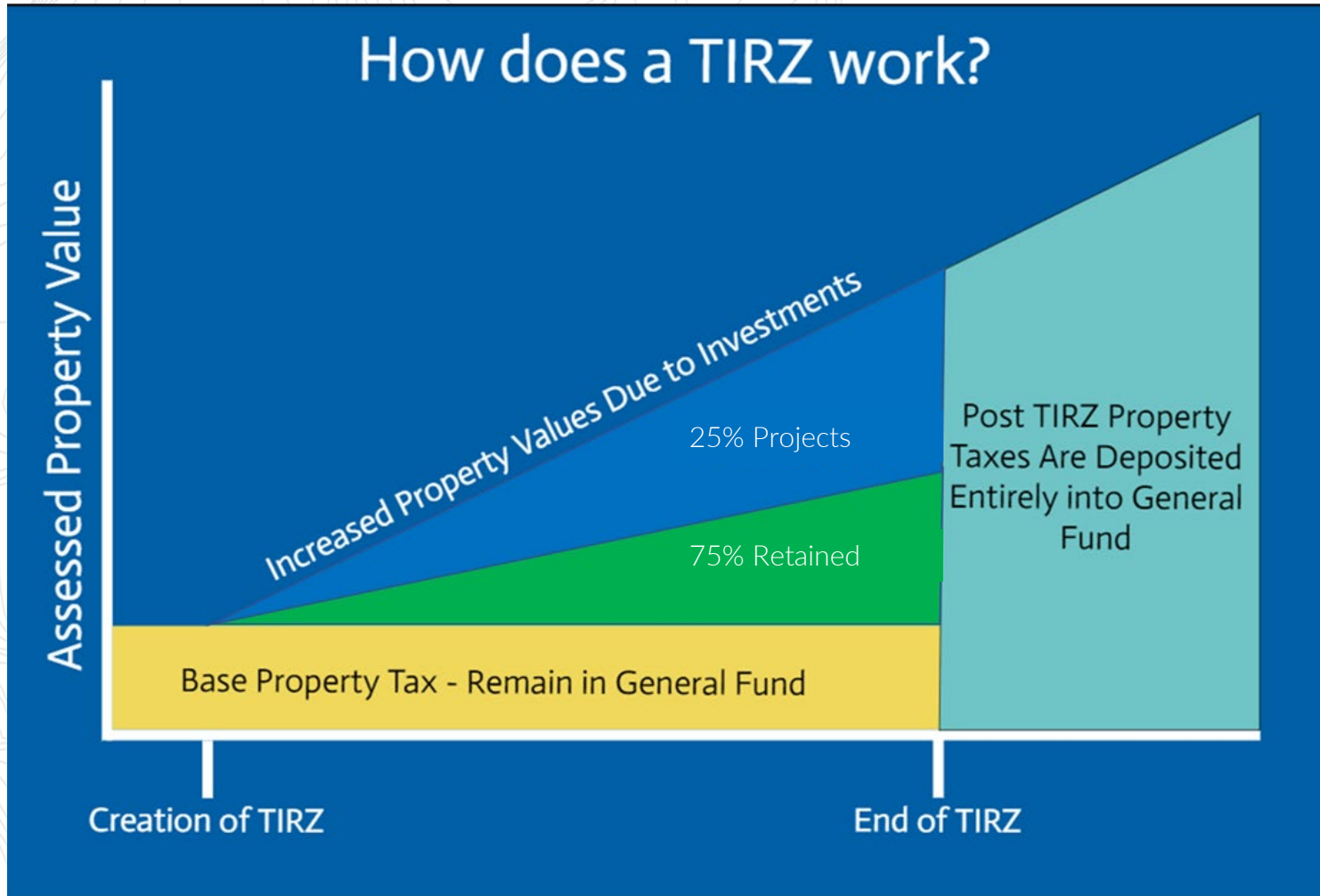
Tax Increment Reinvestment Zones (TIRZ)

- Tax Increment Financing (TIF) is a tool that incentivizes economic development within a Tax Increment Reinvestment Zone (TIRZ)
- Governed by Tax Code, Chapter 311
- Hundreds of TIRZs have been created in the state of Texas
- Cities, alone or in partnership with other taxing units, can use this tool to pay for improvements in a zone so it will attract new development, facilitate investment, and bring excitement and energy to a designated area

Tax Increment Reinvestment Zones (TIRZ)

- Taxing entities contribute ad valorem taxes received from incremental value increases on property within the TIRZ.
- A TIRZ can pay for:
 - infrastructure;
 - public improvements;
 - economic development programs; or
 - other projects benefiting the zone

Tax Increment Reinvestment Zones (TIRZ)



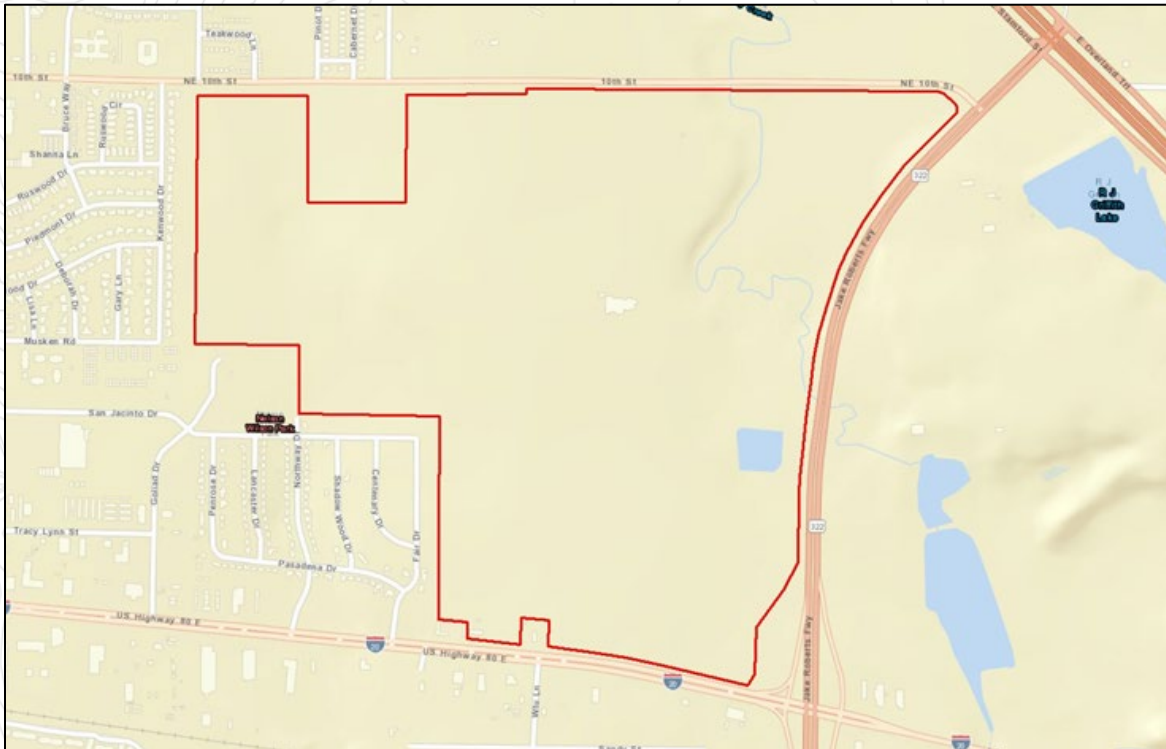
- Taxing entity rates are negotiated and can vary (not identical).

TIRZ Creation Process

- Chapter 311 outlines the various procedures for creating and amending a TIRZ. Two main documents:
 1. Creation ordinance; and
 2. TIRZ Project and Financing Plan
- Creation ordinance establishes five key elements:
 - Boundary;
 - Term;
 - TIRZ Board;
 - City Participation and
 - Preliminary Project and Financing Plan
- Upon TIRZ creation the Final Project and Financing Plan is approved by the TIRZ Board and then the City Council by separate ordinance

TIRZ #3 – Overview

- Approx. 420.77 acres generally located west of Jake Roberts Freeway, bound by North 10th Street to the north, and E. Hwy 80 to the south.
- The purpose of the TIRZ is to encourage private development that will yield additional tax revenue to all taxing jurisdictions.



 - TIRZ Boundary

PROPOSED TIRZ #3

TIRZ #3 – Proposed Development

- Anticipated 911 single family residential units
- \$436 million in incremental taxable value
- Public improvements to support the development will be made throughout the TIRZ



ACU Trail Ridge – Overall Site Plan

LOT COUNT:		
50' Lots:	86	
55' Lots:	388	
60' Lots:	48	
70' Lots:	294	
100' Lots:	77	
130' Lots:	20	
TOTAL LOTS:		911

TIRZ #3 – Participation Assumptions

- City of Abilene participation at 25% of its real property increment

Real Property Tax		Participation	
City of Abilene	0.76210000	25.0%	0.1905250
Taylor County	0.56750000	0%	0.0000000
Abilene ISD	1.20930000	0%	0.0000000
	2.53890000		0.19052500

- 20-year term - December 31, 2042 (with final year's tax to be collected by September 1, 2043)

TIRZ #3 – Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIF	Net Benefit
City of Abilene	\$54,352,654	\$13,588,164	\$40,764,491
Taylor County	\$40,473,863	\$0	\$40,473,863
Abilene ISD	\$86,246,772	\$0	\$86,246,772
Total	\$181,073,290	\$13,588,164	\$167,485,126

Proposed Project Costs		
Water Facilities and Improvements	\$ 3,397,041	25.0%
Sanitary Sewer Facilities and Improvements	\$ 3,397,041	25.0%
Storm Water Facilities and Improvements	\$ 3,397,041	25.0%
Street and Intersection Improvements	\$ 1,358,816	10.0%
Open Space, Park and Recreation Facilities and Improvements	\$ 679,408	5.0%
Utilities and Street Lighting	\$ 679,408	5.0%
Economic Development Grants	\$ 543,527	4.0%
Administrative Costs	\$ 135,882	1.0%
	\$ 13,588,164	100.0%

It is anticipated that the individual TIRZ project cost allocations will be evaluated on a case-by-case basis, consistent with the categories listed above, and brought forward to the TIRZ board and City Council for consideration.

Next Steps

- First Reading of Creation Ordinance
 - October 27, 2022
- Public Hearing and Second Reading of Creation Ordinance
 - November 17, 2022
- Appoint TIRZ Board
- TIRZ Board Meeting Recommending Approval of Final Project and Financing Plan
- Final Project and Financing Plan Adoption – First Reading
- Final Project and Financing Plan Adoption – Second Reading



**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Marigold Street Paving Improvements Bid No.# 2301 to Epic Construction Co. (Max Johnson)

GENERAL INFORMATION

This Project was advertised as a Public Notice on September 25, 2022, and on October 2, 2022 with a bid opening dated October 12, 2022. This construction contract involves the relocation of the west 600ft of Marigold St, which will connect Marigold St to Fulwiler Rd. This contract also includes the reconstruction of Fulwiler Rd from Marigold St to Five Points Pwy, as well as the reconstruction of Marigold St from Fulwiler Rd to Polaris Dr. This contract includes two alternates: alternate 1 is a reconstruction of Marigold St from Polaris Dr to Arnold Blv, and alternate 2 is construction of a driveway and new parking lot within the Industrial district.

SPECIAL CONSIDERATIONS

This project has a contract completion time of 240 working days (approx. 12 months, weather permitting)

FUNDING/FISCAL IMPACT

Funding for this project is allocated through an EDA Grant and DCOA Funding.

STAFF RECOMMENDATION

Staff recommends awarding the base bid and both alternates to the best value bidder, Epic Construction Co. for \$3,451,655.00.

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 5 Points resolution - 10-27-2022
2. Agreement
3. Bid Tab (2)
4. Scope of Work
5. PROJECT LOCATION MAP Model (1)
6. 5 Points - 10-27-2022 ppt

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING
BID TO EPIC CONSTRUCTION, CO., ABILENE, TEXAS**

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the relocation and reconstruction project along Fulwiler Rd and Marigold St.

WHEREAS, This construction contract involves the relocation of the west 600ft of Marigold St, this relocation will connect Marigold St to Fulwiler Rd. Along with the relocation this contract will include the reconstruction of Fulwiler Rd from Marigold St to Five Points Pwy, as well as the reconstruction of Marigold St from Fulwiler Rd to Polaris Dr. This contract will also include two alternates; alternate 1 is a reconstruction of Marigold St from Polaris Dr to Arnold Blv, and alternate 1 is a construction of a driveway and new parking lot within the Industrial district.

WHEREAS, the City of Abilene has utilized the “Best Value” competitive bidding method in determining the award of the contract; and,

WHEREAS, the following base bids were received and opened on October 12, 2022

Epic Construction Co., Abilene, Texas	\$ 2,278,265.00
Bontke Brothers Construction, Inc., Abilene, Texas	\$ 2,548,852.50

WHEREAS, the following alternate #1 bids were received and opened on October 12, 2022

Epic Construction Co., Abilene, Texas	\$ 843,360.00
Bontke Brothers Construction, Inc., Abilene, Texas	\$ 939,560.00

WHEREAS, the following alternate #2 bids were received and opened on October 12, 2022

Epic Construction Co., Abilene, Texas	\$ 330,030.00
Bontke Brothers Construction, Inc., Abilene, Texas	\$ 368,610.00

WHEREAS, Bontke Brothers Construction, Inc., Abilene, Texas submitted the lowest and best value total for the base bid and both alternates in the amount of \$3,451,655.00 with the bid meeting specifications. Staff recommends awarding the bid to the lowest and best value bidder, Bontke Brothers Construction, Inc., Abilene, Texas.

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

PART 1: That the City Council approves this bid in the amount of \$ 3,451,655.00.

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

ADOPTED this 27th day of October, 2022.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made **October 27, 2022**, is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Epic Construction Co. of the City of Abilene, State of Texas. ("Contractor").

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

THE AGREEMENT

1. **Work and Consideration.**

The Contractor hereby agrees to commence and complete the construction of Work described as

MARIGOLD STREET PAVING IMPROVEMENTS

The Contractor must provide all Work required in the Contract Documents -- incorporated herein by reference -- labeled:

MARIGOLD STREET PAVING IMPROVEMENTS

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

In consideration of this Work, the City will pay the Contractor the sum of **\$3,451,655.00**.

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

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

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

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

6. **Indemnity.**

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

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

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

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

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

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

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

B. Indemnity

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

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

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

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

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

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT’S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY’S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE

THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

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

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

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

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

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

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

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

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

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

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

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

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

CONTRACTOR

Name of Contractor:

Epic Construction

Business Address:

2701 S. Treadaway Blvd.
Abilene, TX 79602



Signature

Kyle Doby

Name - Typed or Printed

Partner

Title - Typed or Printed

325-695-6283

Business Phone No.

75-2810409

Federal Tax I.D.#

ATTEST: (If Corporation)

Corporate Secretary's Signature

Corporate Seal
(if none, write "None")

CITY OF ABILENE

Authorized Signature

APPROVED:

City Attorney

ATTEST:

City Secretary

Seal:

TABULATION OF BIDS FOR: Marigold Street Paving Improvements, City of Abilene, Texas

BIDS RECEIVED: 10/12/2022

PE Firm Registration No. 1151

BASE BID				EPIC CONSTRUCTION CO.		BONTKE BROTHERS CONST.	
Item No.	Quantity	Unit	Item	Unit Cost	Amount	Unit Cost	Amount
100-1	10	AC	Preparation of Right-of-Way	\$ 1,000.00	\$ 10,000.00	\$ 1,000.00	\$ 10,000.00
100-2	1	LS	Stormwater Pollution Prevention Plan	\$ 3,000.00	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00
104-2	1,000	SY	Removal of Existing Concrete Pavement, Sidewalks	\$ 25.00	\$ 25,000.00	\$ 28.00	\$ 28,000.00
106	600	LF	Obliterating Abandoned Road (Marigold Street)	\$ 30.00	\$ 18,000.00	\$ 50.00	\$ 30,000.00
110	13,200	CY	Roadway Excavation	\$ 2.50	\$ 33,000.00	\$ 3.00	\$ 39,600.00
132	10,950	CY	Roadway Embankment	\$ 2.50	\$ 27,375.00	\$ 6.00	\$ 65,700.00
169	13,815	SY	Erosion Control Matting	\$ 2.00	\$ 27,630.00	\$ 4.00	\$ 55,260.00
260-1	380	TONS	Lime Material (Quicklime, Type C, Grade DS)	\$ 230.00	\$ 87,400.00	\$ 275.00	\$ 104,500.00
260-2	25,200	SY	Lime Stabilized Density Controlled Subgrade (6")	\$ 2.50	\$ 63,000.00	\$ 6.50	\$ 163,800.00
247	3,410	CY	Flexible Limestone Base (Type A, Grade 2 or Better) (8")	\$ 39.00	\$ 132,990.00	\$ 40.00	\$ 136,400.00
310	2,575	GAL	Prime (AEP) Base (.25/.40 GAL/SY)	\$ 7.00	\$ 18,025.00	\$ 7.00	\$ 18,025.00
340-1	1,250	TONS	Hot Mix Asphaltic Concrete (2")(Type D)(PG70-22)(Tack Coat Subs)	\$ 120.00	\$ 150,000.00	\$ 117.00	\$ 146,250.00
340-2	2,500	TONS	Hot Mix Asphaltic Concrete (4")(Type B)(PG64-22)	\$ 120.00	\$ 300,000.00	\$ 116.00	\$ 290,000.00
360-1	9,450	SY	Concrete Pavement (8")(Class P)	\$ 73.00	\$ 689,850.00	\$ 75.00	\$ 708,750.00
360-2	2,200	SY	Concrete Pavement (7")(Class A)	\$ 72.00	\$ 158,400.00	\$ 74.00	\$ 162,800.00
432	305	SY	Riprap (Common Stone)	\$ 20.00	\$ 6,100.00	\$ 60.00	\$ 18,300.00
464-1	408	LF	Reinforced Concrete Pipe (18" Diameter)	\$ 70.00	\$ 28,560.00	\$ 120.00	\$ 48,960.00
464-3	63	LF	Reinforced Concrete Pipe (48" Diameter)	\$ 220.00	\$ 13,860.00	\$ 300.00	\$ 18,900.00
500	1	LS	Mobilization, Bonds and Insurance	\$ 160,000.00	\$ 160,000.00	\$ 120,000.00	\$ 120,000.00
501-1	3	EA	Storm Sewer Inlets and Headwalls (Curb Inlet)	\$ 6,000.00	\$ 18,000.00	\$ 5,000.00	\$ 15,000.00
501-2	3	EA	Storm Sewer Inlets and Headwalls (Headwall-18" RCP)	\$ 4,000.00	\$ 12,000.00	\$ 4,000.00	\$ 12,000.00
501-4	2	EA	Storm Sewer Inlets and Headwalls (Headwall-48" RCP)	\$ 6,000.00	\$ 12,000.00	\$ 6,000.00	\$ 12,000.00
502-1	12	MO	Traffic Control Plan	\$ 1,000.00	\$ 12,000.00	\$ 4,000.00	\$ 48,000.00
502-2	2	EA	Permanent Road Closed Barricade	\$ 1,500.00	\$ 3,000.00	\$ 800.00	\$ 1,600.00
529	3,760	LF	Concrete Curb and Gutter	\$ 15.00	\$ 56,400.00	\$ 18.50	\$ 69,560.00
531-1	15	EA	Concrete Curb Ramp	\$ 700.00	\$ 10,500.00	\$ 1,000.00	\$ 15,000.00
531-2	9,465	SF	Concrete Sidewalk	\$ 6.00	\$ 56,790.00	\$ 7.00	\$ 66,255.00
540	55	LF	Metal Beam Guard Fence	\$ 300.00	\$ 16,500.00	\$ 250.00	\$ 13,750.00
637-1	1	EA	Aluminum "STOP" Sign (R1-1)	\$ 350.00	\$ 350.00	\$ 800.00	\$ 800.00
637-2	1	EA	Aluminum Sign (R3-7R(L))	\$ 350.00	\$ 350.00	\$ 1,000.00	\$ 1,000.00
666-1	6,775	LF	Pavement Markings (Double Solid Line)(4")(Yellow)(Thermo)	\$ 1.00	\$ 6,775.00	\$ 0.75	\$ 5,081.25
666-2	150	LF	Pavement Markings (Diagonal Line)(20" Spacing)((12"))(Yellow)(Thermo)	\$ 20.00	\$ 3,000.00	\$ 17.00	\$ 2,550.00
666-3	2,345	LF	Pavement Markings (Single Skip Line)(4")(White)(Thermo)	\$ 1.00	\$ 2,345.00	\$ 0.75	\$ 1,758.75
666-4	775	LF	Pavement Markings (Single Solid Line)(8")(White)(Thermo)	\$ 2.00	\$ 1,550.00	\$ 2.00	\$ 1,550.00
666-5	7	EA	Pavement Markings (ARROW Symbol)(White)(Thermo)	\$ 600.00	\$ 4,200.00	\$ 500.00	\$ 3,500.00
666-6	7	EA	Pavement Markings ("ONLY" Text)(White)(Thermo)	\$ 600.00	\$ 4,200.00	\$ 500.00	\$ 3,500.00
666-7	24	LF	Pavement Markings (Stop Bar)(White)(Thermo)	\$ 30.00	\$ 720.00	\$ 30.00	\$ 720.00
666-8	85	LF	Pavement Markings (Diagonal Line)(20" Spacing)(12")(White)(Thermo)	\$ 25.00	\$ 2,125.00	\$ 2.00	\$ 170.00
666-9	610	LF	Pavement Markings (Dotted Line)(8")(White)(Thermo)	\$ 2.00	\$ 1,220.00	\$ 1.25	\$ 762.50
672-1	29	EA	Raised Pavement Markers (Class B)(Reflectorized)(Type I-C)	\$ 25.00	\$ 725.00	\$ 25.00	\$ 725.00
672-2	53	EA	Raised Pavement Markers (Class B)(Reflectorized)(Type II-A-A)	\$ 25.00	\$ 1,325.00	\$ 25.00	\$ 1,325.00
1000	1	LS	Owners Allowance	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
TOTAL BASE BID PRICE (Items 100-1 thru 1000)					\$ 2,278,265.00		\$ 2,548,852.50

ADD ALTERNATE NO. 1				EPIC CONSTRUCTION CO.		BONTKE BROTHERS CONST.	
Item No.	Quantity	Unit	Item	Unit Cost	Amount	Unit Cost	Amount
100	4	AC	Preparation of Right-of-Way	\$ 2,000.00	\$ 8,000.00	\$ 1,000.00	\$ 4,000.00
104-2	70	SY	Removal of Existing Concrete Pavement, Sidewalks	\$ 15.00	\$ 1,050.00	\$ 25.00	\$ 1,750.00
110	3,000	CY	Roadway Excavation	\$ 3.00	\$ 9,000.00	\$ 3.00	\$ 9,000.00
132	2,200	CY	Roadway Embankment	\$ 3.00	\$ 6,600.00	\$ 6.00	\$ 13,200.00
169	2,750	SY	Erosion Control Matting	\$ 2.00	\$ 5,500.00	\$ 4.00	\$ 11,000.00
260-1	150	TONS	Lime Material (Quicklime, Type C, Grade DS)	\$ 230.00	\$ 34,500.00	\$ 275.00	\$ 41,250.00
260-2	10,500	SY	Lime Stabilized Density Controlled Subgrade (6")	\$ 2.50	\$ 26,250.00	\$ 6.50	\$ 68,250.00
360-1	9,800	SY	Concrete Pavement (8")(Class P)	\$ 73.00	\$ 715,400.00	\$ 75.00	\$ 735,000.00
360-2	375	SY	Concrete Pavement (7")(Class A)	\$ 72.00	\$ 27,000.00	\$ 74.00	\$ 27,750.00
502-1	6	MO	Traffic Control Plan	\$ 1,000.00	\$ 6,000.00	\$ 4,000.00	\$ 24,000.00
637-2	1	EA	Aluminum Sign (R3-7R(L))	\$ 350.00	\$ 350.00	\$ 800.00	\$ 800.00
637-3	1	EA	Aluminum Sign (W9-2TL(R))	\$ 350.00	\$ 350.00	\$ 1,000.00	\$ 1,000.00
666-1	2,560	LF	Pavement Markings (Double Solid Line)(4")(Yellow)(Thermo)	\$ 1.00	\$ 2,560.00	\$ 0.75	\$ 1,920.00
672-2	32	EA	Raised Pavement Markers (Class B)(Reflectorized)(Type II-A-A)	\$ 25.00	\$ 800.00	\$ 20.00	\$ 640.00
TOTAL ADD ALTERNATE NO. 1 BID PRICE (Items 100 thru 672-2)					\$ 843,360.00	**	\$ 939,560.00

ADD ALTERNATE NO. 2				EPIC CONSTRUCTION CO.		BONTKE BROTHERS CONST.	
Item No.	Quantity	Unit	Item	Unit Cost	Amount	Unit Cost	Amount
100	1	AC	Preparation of Right-of-Way	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00
104-1	135	LF	Rmoval of Existing Concrete Curb and Gutter	\$ 25.00	\$ 3,375.00	\$ 16.00	\$ 2,160.00
104-2	45	SY	Removal of Existing Concrete Pavement, Sidewalks	\$ 25.00	\$ 1,125.00	\$ 25.00	\$ 1,125.00
110	700	CY	Roadway Excavation	\$ 2.50	\$ 1,750.00	\$ 3.00	\$ 2,100.00
132	1,850	CY	Roadway Embankment	\$ 3.00	\$ 5,550.00	\$ 6.00	\$ 11,100.00
260-1	95	TONS	Lime Material (Quicklime, Type C, Grade DS)	\$ 230.00	\$ 21,850.00	\$ 275.00	\$ 26,125.00
260-2	3,560	SY	Lime Stabilized Density Controlled Subgrade (6")	\$ 3.00	\$ 10,680.00	\$ 6.50	\$ 23,140.00
360-2	3,560	SY	Concrete Pavement (7")(Class A)	\$ 72.00	\$ 256,320.00	\$ 75.00	\$ 267,000.00
432	110	SY	Riprap (Common Stone)	\$ 20.00	\$ 2,200.00	\$ 60.00	\$ 6,600.00
464-2	54	LF	Reinforced Concrete Pipe (36" Diameter)	\$ 170.00	\$ 9,180.00	\$ 190.00	\$ 10,260.00
501-3	2	EA	Storm Sewer Inlets and Headwalls (Headwall-36" RCP)	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00
502-1	2	MO	Traffic Control Plan	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00	\$ 8,000.00
TOTAL ADD ALTERNATE NO. 2 BID PRICE (Items 100 thru 502-1)					\$ 330,030.00		\$ 368,610.00

** Bontke Brothers Construction's Add Alternate No. 1 Bid Price is higher than what was read aloud at the Bid Opening

I, ROBERT R. PRICHARD, P.E., #101233, DO HEREBY CERTIFY THAT THE ABOVE REFERENCED BIDS WERE RECEIVED, IN ACCORDANCE WITH THE ADVERTISED PROCEDURES, OPENED, AND READ ALOUD. THE BID TABULATION HEREIN IS A TRUE AND ACCURATE REPRESENTATION OF THE BIDS READ ALOUD.


 ROBERT R. PRICHARD, P.E., #101233



10/12/2022

SCOPE OF PROJECT

Project includes the re-routing and reconstruction of Marigold Street (between Fulwiler Road and Polaris Drive) and the reconstruction / widening of Fulwiler Road between Five Points Parkway and Marigold Street. Specifically, the project includes the following:

Base Bid:

Demolition and removal of approximately 1,800 linear feet (LF) of existing gravel and asphalt pavement (Marigold Street between Polaris Drive and Stamford Street (I-20)).

Reconstruct Marigold Street along proposed alignment (approximately 2,125 LF) creating a new connection to Fulwiler Road. Construction to include all grading and earthwork, installation of storm drain inlets and piping, storm drain culverts, lime-stabilized subgrade preparation, 8" thick Class "P" concrete paving reinforced with #12 steel rebar, integral concrete curb and gutter, erosion control measures and pavement striping.

Demolition and removal of approximately 2,400 linear feet (LF) of existing asphalt pavement (Fulwiler Road between Marigold Street and Five Points Parkway).

Reconstruct 2,400 LF of Fulwiler Road to bring into compliance with the City of Abilene standards for an arterial street within existing right-of-way. Construction to include all grading and earthwork, installation of storm drain culverts, lime-stabilized subgrade preparation, flexible limestone base material, placement of 4" Type "B" hot mix asphalt concrete (HMAC) and 2" of Type "D" HMAC, concrete curb and gutter, erosion control measures and pavement striping.

Add Alternate No. 1

Demolition and removal of approximately 2,400 linear feet (LF) of existing gravel and asphalt pavement (Marigold Street between Polaris Drive and Arnold Boulevard).

Construct improvements to the eastern portion Marigold Street (between Polaris Drive and Arnold Boulevard) to widen the existing pavement to 36 feet (face of curb to face of curb). Construction will include all grading and earthwork, lime-stabilized subgrade preparation, 8" thick Class "P" concrete paving reinforced with #12 steel rebar, integral concrete curb and gutter, erosion control measures and pavement striping.

Add Alternate Bid No. 2:

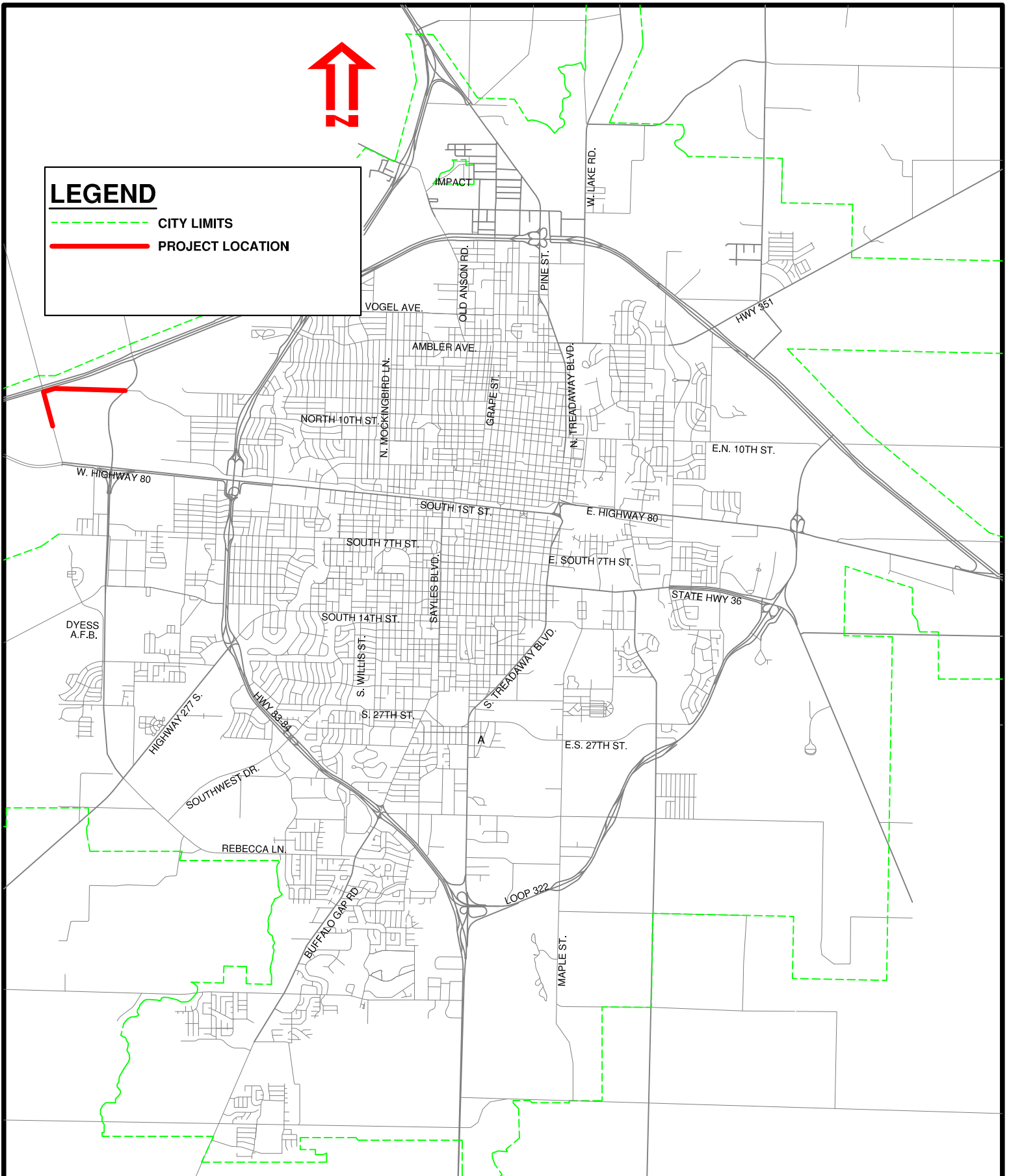
Construct new concrete entrance drive from Marigold Street into the Bavarian / Hartmann's manufacturing facility parking area including grading/earthwork, storm drain culverts, storm drain culverts, and concrete pavement.

Construct concrete parking area / delivery truck maneuvering area including grading and earthwork, subgrade preparation, and concrete pavement installation.



LEGEND

-  CITY LIMITS
-  PROJECT LOCATION



Sheet
1
of
1

CITY OF ABILENE, TEXAS
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

MARIGOLD STREET PAVING IMPROVEMENTS

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:
PROJECT LOCATION

Date: OCTOBER 2022

Agenda Item: Marigold Street Paving Improvements

Resolution: Bid Award #CB-2301 Marigold
Street Paving Improvements (*Johnson*)







Agenda Item: Marigold Street Paving Improvements

- Relocates west 600 ft of Marigold St, which connects Marigold St to Fulwiler Rd
- Reconstructs Fulwiler Rd from Marigold St to Five Points Pwy and Marigold St from Fulwiler Rd to Polaris Dr
- Includes two alternates
 - Alternate 1 reconstructs Marigold St from Polaris Dr to Arnold Blvd
 - Alternate 2 reconstructs a driveway and new parking lot within Industrial district
- Project Advertised September 25, 2022 and October 2, 2022
 - Bids Opened October 12, 2022
- Two bids received
- Staff recommends award of contract to Epic Construction Inc. in the amount of \$3,451,655.00





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 10/27/2022

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 14. 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. 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
4. 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
5. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
6. 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
7. 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
8. 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
9. 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
10. Allstate Fire and Casualty Insurance Company as Subrogee of Del Davis v. City of Abilene; Case No. SC22-11166J11, In the Justice Court, Precinct 1, Place 1, Taylor County, Texas, filed March 30, 2022
11. Brendan Cordle v. City of Abilene; Cause No. SC22-22974J12, In the Small Claims Court, Precinct 1,

Place 2, Taylor County, Texas, filed August 29, 2022

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

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

E. 551.076 (Deliberations about Security Devices)

F.551.087 (Business Prospect/Economic Development)

1. Rainey Creek Subdivision

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None