



City of Abilene City Council Agenda

Shane Price, Mayor Pro-tem
Lynn Beard, Deputy Mayor Pro-tem
Blaise Regan, Council Member
Robert Hanna, City Manager

Weldon Hurt, Mayor

Brian Yates, 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 September 28, 2023, 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 Brian Yates

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Recognition:**

- Lt. Brad McGary - U.S. Attorney's Award of Excellence

CONSENT AGENDA AND PUBLIC COMMENTS

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

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

listed on the Council agenda.

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

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on September 14, 2023 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
 - Citizens Advisory Board for People with Disabilities
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors **(Shawna Atkinson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Taylor County Expo Center FY 2024 Budget **(Mike Rains)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with United States Geological Survey for Streamflow Monitoring Stations **(Rodney Taylor)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Bids for Purchase of Bulk Chemicals to be Used by Water and Wastewater Treatment Plants in Fiscal Year 2024 **(Rodney Taylor)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding the Bid to Starks Construction Company Inc. for the Hwy 83/FM3034 Water Line Relocation **(Rodney Taylor)**
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Real Time Information Center **(Doug Wrenn)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Amendment to the Rose Tennis Center Management Agreement **(Lesli Andrews)**
12. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with the Veterans Land Board for the Management of the Texas State Veterans Cemetery at Abilene **(Lesli Andrews)**
13. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to approve Task Order 1 with Parkhill for the Airport Terminal Improvements and Expansion Design **(Don Green)**
14. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to award the Airside Engineering Services Contract to Garver **(Don Green)**
15. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Ground Lease with Abilene Independent School District **(Michael Rice)**
16. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City of Abilene to install four-way stop signs at the intersection of Westchester Dr. and Bruce Dr. **(Max Johnson)**
17. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Annual Street Services Division Materials Bid #CB-2367 **(Max Johnson)**
18. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Rebate Agreement with the Abilene Convention Center Hotel Development

Corporation (*Mindy Patterson*)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

19. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Revising the FY 23-24 Budget Ordinance and to Increase Staffing for the Texas State Veterans Cemetery in Abilene (*Mindy Patterson*)

EXECUTIVE SESSION

20. **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. 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
4. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
5. 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
6. 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
7. 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
8. 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
9. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
10. The Woodlands Pride, Inc., et al. v. Angela Colmenero, Interim Attorney General of Texas, et al., Case No. 4:23-cv-02847, In the United States District Court, Southern District of Texas, Houston Division, filed August 2, 2023
11. Eminent Domain Lawsuits - North First and Leggett Street Intersections
12. Eminent Domain - 212 ES 11th Street

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)

RECONVENE

REGULAR AGENDA

21. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on

Approving the Annual Evaluation of the Municipal Court Judge

22. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Secretary

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 22nd day of September, 2023, at 1:30 p.m.

Kaitlin Richardson, TRMC
Deputy City Secretary



**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor & Members of City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on September 14, 2023
(*Shawna Atkinson*)

GENERAL INFORMATION

Approval of the Minutes from the Regular Meeting Held on September 14, 2023

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 09-14-2023 Minutes - Regular - Morning

CITY COUNCIL MEETING
September 14, 2023 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 September 14, 2023, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Blaise Regan, Brian Yates, Kyle McAlister, and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Travis Craver delivered the invocation.

Elisha Johnson and Kinley Rodriguez, both 5th graders at Austin Elementary, 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:
 - Anthony Redman – 30 Years – Library
 - Jerry Rose – 20 Years – Parks & Recreation

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-7. Item 6 was pulled from consideration prior to the meeting. Item 4 was pulled for individual consideration.

Item pulled for individual consideration:

- Item 4: Councilmember Yates

Item pulled from consideration:

- Item 6

PUBLIC COMMENTS

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

- Theresa Maddingly
- Eric Bengs
- Tammy Fogle

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

CONSENT AGENDA

Councilmember McAlister moved to approve the consent agenda consisting of items 3, 5 & 7. Councilmember Craver seconded the motion. Motion carried.

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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 24, 2023
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Amending the Professional Services Agreement with Enprotec/Hibbs & Todd, Inc. for the South 14th Street Pedestrian Improvements Design
[ASSIGNED RESOLUTION NO. 142-2023]
7. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action to Revise the FY 23-24 Budget Ordinance and to Increase Staffing for the Texas State Veterans Cemetery in Abilene

ITEMS PULLED FROM CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with the Veterans Land Board for the Management of the Texas State Veterans Cemetery at Abilene
[NOT CONSIDERED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Cultural Affairs Council FY 2024 Budget
[ASSIGNED RESOLUTION NO. 134-2023]

Having pulled the item, Councilmember Yates stated that he pulled this item at the request of a citizen. Lynn Barnett, VP of the Abilene Cultural Affairs Council, presented the item. Adoption of the item would approve the FY 24 budget for the ACAC.

Mayor Hurt opened the public hearing. The following spoke:

- Tammy Fogle

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

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

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

NAYS (0): None

REGULAR AGENDA

8. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article VII., "Stop, Yield Intersections," Article X, "Stopping, Standing, and Parking," and Article XIII, "Schedules," of the Abilene Municipal Code, By Amending Certain Sections As Set Out Below, Providing A Severability Clause; And Declaring A Penalty
[ASSIGNED ORDINANCE NO. 55-2023]

Max Johnson, Director of Public Works, presented the item. Adoption of the item would amend Chapter 18, "Motor Vehicles and Traffic," Article VII., "Stop, Yield Intersections," Article X, "Stopping, Standing, and Parking," and Article XIII, "Schedules," of the Abilene Municipal Code.

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

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

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

NAYS (0): None

9. Ordinance (Final Reading) CUP-2023-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Alan Wartes, Represented By Jovon Christophe, To Apply A Conditional Use Permit To Approximately 0.17 Acres To Allow For A Daycare Within Residential Single Family (RS-6) Zoning For Up To 12 Children. Located At 3236 Ambler Avenue
[ASSIGNED ORDINANCE NO. 55-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would apply a conditional use permit to the above referenced property, to allow for a daycare within residential single family zoning, for up to 12 children.

Mayor Hurt opened the public hearing. The following spoke in favor of CUP-2023-05:

- Jovann Christophe

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

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

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

NAYS (0): None

10. Ordinance (Final Reading) Z-2023-24: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Amazing Grace True Grit, LLC, Represented By Sara Trammel, To Change The Zoning Of Approximately 0.68 Acres From Residential Single Family (RS-12) To A Planned Development District (PDD-183) To Allow For A Medical Spa. Located At 642 Sayles Boulevard
[ASSIGNED ORDINANCE NO. 55-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Single Family (RS-12) to a Planned Development District (PDD-183), to allow for a medical spa.

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

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

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

NAYS (0): None

11. Ordinance (Final Reading) Z-2023-26: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From KKP Investments, LLC, Represented By Jacob & Martin, To Amend The Terms Of Planned Development District 172 To Allow Single-Family Residential Uses With No Through Connection To East Stamford Street. Located At 2668 Garfield Avenue
[ASSIGNED ORDINANCE NO. 55-2023]

Tim Littlejohn, Director of Planning and Development Services presented the item. Adoption of the item would amend the terms of Planned Development District 172 (PDD-172), to allow single-family residential uses with no through connection to East Stamford Street, at the above referenced property.

Mayor Hurt opened the public hearing. The following spoke in favor of Z-2023-26:

- Tal Filingham
- Carmen Price

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

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

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

NAYS (0): None

12. Ordinance (Final Reading) Z-2023-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Darin Albergucci, represented by e-HT, to change the zoning of approximately 4.80 acres from Light Industrial (LI) to General Commercial (GC). Located at 910 Bandera Park
[ASSIGNED ORDINANCE NO. 55-2023]

Tim Littlejohn, Director of Planning and Development Services presented the item. Adoption of the item would rezone the above referenced property from Light Industrial (LI) to General Commercial, to allow for a baseball training facility.

Mayor Hurt opened the public hearing. The following spoke in favor of Z-2023-28:

- Bj Prichard

Mayor Hurt opened the public hearing. The following spoke in opposition of Z-2023-28:

- Paul Johnson

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

Councilmember McAlister moved to approve the item as presented. Councilmember Yates seconded the motion; motion carried.

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

NAYS (0): None

13. Ordinance (Final Reading) CZ-2023-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Moore Abilene Holdings, LP, represented by Alex Moore, to change the zoning of approximately 0.64 acres from Heavy Industrial (HI) to Heavy Commercial (HC). Located at 2222, 2234, 2250 Butternut Street
[ASSIGNED ORDINANCE NO. 55-2023]

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

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

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

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

14. Discussion: Receive a Report, Hold a Discussion and Public Hearing on the Impact of Water Supply Contracts on Rural Development in Abilene's ETJ

Rodney Taylor, Director of Water Utilities, presented the item. Mr. Taylor went over the background of the City's water supply. Abilene provides water for Taylor County, and 6 other counties by wholesale purchase. We have 17 wholesale contracts currently. Growth in the City and outside was discussed, and what we have done to restrict rural growth in our ETJ. There is a 1 ½ inch maximum cap on each meter size, that is intended to stop large developments. The questions Mr. Taylor presented to Council were: What is our path forward? Does Council desire to attempt to restrict future development in the ETJ? Does the City desire to reserve the excess water supplies primarily for its retail customers within the city limits? We have a permit application for state water rights currently in process for Cedar Ridge. Mr. Hanna would like us to remain a regional water supplier, since we've done it since 1954. He would like to shift towards a take-or-pay pricing approach, where increases will be made based on established unit pricing for reserving capacity and take rate. This will allow us to plan for future water needs and allow us to be able to intelligently say "we don't have the capacity to meet your needs."

Mayor Hurt stressed that we cannot turn the tap off on people. We need to look at future needs. The 1 ½ inch meter limit was discussed at length. Council questioned if an audit of all the wholesalers could be performed to see where we are at and how big the problem is. No one on Council wants to restrict growth, but deliberate conversations on reshaping our role as a regional water supplier are necessary. Other similar sized city's water supply and setups were discussed. Cedar Ridge was discussed at length. Council would like to move forward on conducting an audit, and then with that information to try and create a structure with quantity reserves that also allow for reasonable growth rates, and look at what a take-or-pay model might do to our demand, while remaining a regional water provider.

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

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 10:38 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:

- 115. A. 551.071 (Consultation with Attorney)
 - 1. The Woodlands Pride, Inc. et al v. Angela Colmenero, Interim AG of Texas
 - 2. Eminent Domain lawsuits – North First & Leggett Streets intersection
 - 3. Eminent Domain – 212 ES 11th Street
- 15. B. 551.074 (Personnel Matters)
 - 1. City Manager (also agenda item #16)
 - 2. City Attorney (also agenda item #17)
- 15. F. 551.087 (Business Prospect/Economic Development)
 - 1. 505 Pine Street

The Executive Session ended at 12:18 p.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

16. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Manager
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 10:38 a.m., and ended at 12:18 p.m. No votes or actions were taken at that time.

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

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

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

NAYS (0): None

17. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Attorney
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 10:38 a.m., and ended at 12:18 p.m. No votes or actions were taken at that time.

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

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

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

NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 12:19 p.m.

Shawna Atkinson
City Secretary

Weldon Hurt
Mayor

Minutes approved on: _____



**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor & Members of City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 4.

**Resolution: Receive a Report, Hold a Discussion and Take Action on
Appointing Members to Various Boards and Commissions per the City Charter
(Shawna Atkinson)**

- **Citizens Advisory Board for People with Disabilities**

GENERAL INFORMATION

The item provides for reappointment of members as well as appointing members to certain boards and commissions.

SPECIAL CONSIDERATIONS

Member terms vary per board and commission and are outlined in Exhibit A of the resolution.

FUNDING/FISCAL IMPACT

No cost consideration to the city.

STAFF RECOMMENDATION

(Re)Appointment

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. B&C Resolution
2. Exhibit A
3. B&C Presentation Slide

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUTES OF THE STATE OF TEXAS

WHEREAS, the Charter of the City of Abilene and the Statutes of the State of Texas require that certain Boards and Commissions be established with a portion of the memberships thereof to be filled by appointment each year; and

WHEREAS, the City Council is of the opinion that the following members should be appointed to the designated Boards and Commissions, and has requested the Mayor to appoint same with the approval of the Council.

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

PART 1: That the list of Members is attached hereto as Exhibit A, shall be in all things, approved.

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

PASSED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

RESOLUTION NO. _____
EXHIBIT "A"

Board	Term End Date
<i>Citizen's Advisory Board for People with Disabilities</i>	
JoAnne Fluke [Reappointment]	October 2025
Jamie Thomas [Reappointment]	October 2025
Rodney Young [Reappointment]	October 2025



Resolution: Appointing Member(s) to various Boards and Commissions per the City Charter

- Citizens Advisory Board for People with Disabilities





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor and Members of the City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: **5. Resolution:** Receive a Report, Hold a Discussion and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors (*Shawna Atkinson*)

GENERAL INFORMATION

The City of Abilene is a taxing unit in Taylor County and participates in the selection of members of the Taylor County Appraisal District Board of Directors, composed of 5 members who serve two-year terms, all of which expire on December 31, 2023. The City of Abilene may nominate, by resolution, one or more candidates for the directorship of the board.

SPECIAL CONSIDERATIONS

Ms. Jessica Cantu is willing to stand for re-election.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the nomination of Ms. Jessica Cantu for the Taylor County Appraisal District Board of Directors

BOARD OR COMMISSION RECOMMENDATION

None

ATTACHMENTS:

1. Resolution Taylor County
2. Taylor County Presentation Slide

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
NOMINATING A CANDIDATE FOR A POSITION ON THE BOARD OF DIRECTORS OF
TAYLOR COUNTY APPRAISAL DISTRICT**

WHEREAS, the governing body within the Taylor County Appraisal District has the right and responsibility to elect a person to the board of directors of the Taylor County Appraisal District for a term of office commencing on January 1, 2024, and extending through December 31, 2024;

AND WHEREAS, this governing body desires to exercise its right to nominate a candidate for such position on said board of directors;

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

SECTION 1: The facts and recitations outlined in the preamble of this resolution be, and they are hereby adopted, ratified and confirmed.

SECTION 2: Jessica Cantu is hereby nominated as a candidate for a position on the Taylor County Central Appraisal District board to be filled for a one-year term of office commencing on January 1, 2024.

SECTION 3: the presiding officer of the governing body of this taxing unit is hereby authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Taylor County Appraisal District before October 15, 2023.

PASSED AND APPROVED THIS THE 28th DAY OF SEPTEMBER, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

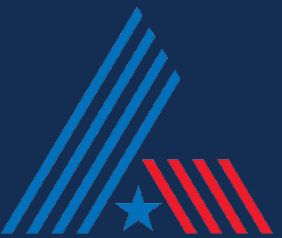
Resolution:

**Casting a Vote to Nominate a Member to the
Jones County Appraisal District Board of
Directors:**

Jessica Cantu



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Mike Rains, Finance Director

SUBJECT: 6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Taylor County Expo Center FY 2024 Budget (*Mike Rains*)

GENERAL INFORMATION

The Taylor County Expo Center (Expo Center) is the recipient of hotel occupancy taxes collected by the City under Chapter 351.101 of the Texas Tax Code. The agreement with the Expo Center outlining procedures for the use of hotel occupancy taxes by the Expo Center requires their annual budget to be approved by the City Council. It further states the City Manager shall review and make a recommendation to Council to approve, modify or amend the budget.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The Expo Center receives reimbursement for eligible expenses up to 3% of the hotel occupancy taxes collected annually.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Resolution Approving the FY 2024 Taylor County Expo Center Budget
2. Expo Center Budget 2024
3. Powerpoint - Resolution Approving the Taylor County Expo Center FY 2024 Budget

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
APPROVING THE TAYLOR COUNTY EXPO CENTER FY 2024 BUDGET**

WHEREAS, the agreement with the Taylor County Expo Center for expenditure of hotel occupancy taxes requires the approval of City Council of the annual budget for the Taylor County Expo Center based on the review and recommendation of the City Manager; and

WHEREAS, the City Manager has reviewed the budget for FY 2024; and

WHEREAS, the City Manager recommends approval of the budget.

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

Part 1: The City Council of the City of Abilene, Texas has approved the budget of the Taylor County Expo Center for FY 2024.

ADOPTED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

Expo Center of Taylor County, Texas		
Budget		
	2024	
Description	Budget	
INCOME -		
BUILDING RENTAL Coliseum	500,000.00	
BUILDING RENTAL TTA	600,000.00	
BUILDING RENTAL Display Building	25,000.00	
BUILDING RENTAL Round Building	35,000.00	
BUILDING RENTAL FFP	40,000.00	
BUILDING RENT WHCRH/Grounds	10,000.00	
BUILDING RENTAL Big Country Hall	20,000.00	
BUILDING RENTAL GA	15,000.00	
STALL RENTAL Horse Barn	325,000.00	
STALL SHAVINGS INCOME Horse Barn	200,000.00	
BUILDING - INSURANCE	20,000.00	
CONCESSIONS Coliseum	17,000.00	
CONCESSIONS Display Building	500.00	
CONCESSIONS Round Building	100.00	
CONCESSIONS Livestock Barn	6,000.00	
CONCESSIONS General	100.00	
CONCESSIONS Big Country Hall	500.00	
CONCESSIONS Horse Barn/TTA	25,000.00	
RENTAL-R V HOOK-UPS	200,000.00	
FACILITY ADVERTISING	20,000.00	
FACILITY ADVERTISING	55,000.00	
FACILITY ADVERTISING	20,000.00	
FACILITY ADVERTISING	4,000.00	
FACILITY NAMING SPONSORSHIPS General	200,000.00	
FUNDRAISING	120,000.00	
DONATIONS	10,000.00	
VENUE TAX RECEIPTS	400,000.00	
HOT TAX	100,000.00	
MISCELLANEOUS	10,000.00	
INTEREST-MONEY MKT.	100.00	
TOTAL INCOME -	2,978,300.00	

	2024	
Description	Budget	
EXPENSES -		
ADMINISTRATIVE SALARIES	321,000.00	
MAINTENANCE SALARIES	435,000.00	
ATTRACTIONS EXPENSE Coliseum	250,000.00	
ATTRACTIONS EXPENSE TTA	350,000.00	
SECURITY	2,000.00	
TEMP. LABOR Coliseum	25,000.00	
TEMP. LABOR TTA	30,000.00	
TEMP. LABOR General	6,000.00	
REPAIRS & MAINTENANCE Coliseum	5,000.00	
REPAIRS & MAINTENANCE TTA	10,000.00	
REPAIRS & MAINTENANCE Display Building	5,000.00	
REPAIRS & MAINTENANCE Round Building	5,000.00	
REPAIRS & MAINTENANCE First Financial Pav.	10,000.00	
REPAIRS & MAINTENANCE General	60,000.00	
REPAIRS & MAINTENANCE Big Country Hall	2,500.00	
DIRT HANDLING EXPENSE TTA & Guita	6,000.00	
STALL SHAVINGS EXPENSE Horse Barn	150,000.00	
STALL REFUSE EXPENSE Horse Barn	100,000.00	
KITCHEN SUPPLIES	1,000.00	
OFFICE SUPPLIES-PRINTING	1,000.00	
OFFICE SUPPLIES-OTHER	20,000.00	
EQUIPMENT LEASE - Maintenance	30,000.00	
MAT. & SUPPLIES MAINT. Coliseum	10,000.00	
MAT. & SUPPLIES MAINT. General	22,000.00	
UTILITIES Coliseum	65,000.00	
UTILITIES TTA	90,000.00	
UTILITIES Display Building	20,000.00	
UTILITIES Round Building	6,000.00	
UTILITIES FFP	80,000.00	
UTILITIES General	90,000.00	
UTILITIES Big Country Hall	10,000.00	
TELEPHONE	10,000.00	
POSTAGE & FREIGHT	4,000.00	
EQUIPMENT EXPENSE	10,000.00	
GASOLINE & DIESEL	25,000.00	
INSURANCE-GENERAL	100,000.00	
INSURANCE-GROUP	82,000.00	
ADVERTISING	1,000.00	
TRAVEL & ENTERTAINMENT MANAGER	3,500.00	
TRAVEL & ENTERTAINMENT STAFF	3,500.00	
TRAVEL & ENTERTAINMENT BOARD	1,000.00	
PAYROLL TAXES	80,000.00	
OTHER TAXES, FEES, LICENSE	8,500.00	
LEGAL & ACCOUNTING	9,000.00	
DUES & SUBSCRIPTIONS	2,000.00	
EQUIPMENT RENTAL OFFICE	9,500.00	
EQUIPMENT RENTAL GENERAL	115,000.00	
EMPLOYEE UNIFORMS	2,000.00	
BRICKS AND BENCHES	500.00	
FUNDRAISING EXPENSES	45,000.00	
CONTRACT SERVICES Maintenance	95,000.00	
PROMOTIONAL	5,000.00	
MISCELLANEOUS	7,000.00	
CREDIT CARD FEES	30,000.00	
DEPRECIATION	110,000.00	
TOTAL EXPENSES -	2,976,000.00	
NET LOSS -	2,300.00	

	2024	
Description	Budget	
WEST TEXAS FAIR & RODEO - INCOME		
GATE ADMISSIONS	240,000.00	
LIVESTOCK EXHIBITOR PASSES	10,000.00	
RODEO SPONSORS	100,000.00	
ENTRY FEES - LIVESTOCK JUDGING	3,000.00	
RODEO TICKETS	100,000.00	
RODEO QUEEN CONTEST	7,000.00	
R V HOOK-UPS FAIR	20,000.00	
OUTSIDE CONCESSION SPACE -FAIR	50,000.00	
INSIDE COMMERCIAL EXHIBIT-FAIR	35,000.00	
AMACORE CONCESSIONS	18,000.00	
SPONSORS	50,000.00	
CARNIVAL PERCENTAGES	300,000.00	
SHAVINGS/STRAW SALES	2,000.00	
TROPHY SPONSORS	2,000.00	
PREMIUM SPONSORS	9,000.00	
ENTRY FEES - JR. SIMMENTAL	700.00	
ENTRY FEES - ANGUS	1,000.00	
ENTRY FEES - STEER	25,500.00	
ENTRY FEES - HEREFORD	1,700.00	
ENTRY FEES - POLLED HEREFORD	1,900.00	
ENTRY FEES - JR. RED ANGUS	2,500.00	
ENTRY FEES - JR. LONGHORN	6,000.00	
ENTRY FEE - YOUTH MEAT GOAT	3,000.00	
ENTRY FEE - OPEN BOER GOAT	2,500.00	
ENTRY FEES - PRE JRMINI HEREFORD	1,000.00	
ENTRY FEE - JR. MINI HEREFORD	1,000.00	
ENTRY FEES - OPEN MINI HEREFORD	100.00	
ENTRY FEES - OPEN LONGHORN	3,000.00	
ENTRY FEES - OPEN SWINE	4,000.00	
ENTRY FEES - POULTRY	650.00	
ENTRY FEES - OPEN BREEDING SHEEP	2,000.00	
ENTRY FEES - JR. RABBIT	500.00	
ENTRY FEES - OPEN MARKET LAMBS	15,000.00	
ENTRY FEES - JR. BRANGUS	600.00	
ENTRY FEES - JR. ANGUS	1,700.00	
ENTRY FEES - JR. SHORTHORN	1,100.00	
ENTRY FEES - JR. HEREFORD	1,000.00	
ENTRY FEES - JR. POLLED HEREFORD	4,000.00	
ENTRY FEES - JR. LIMOUSIN	1,000.00	
ENTRY FEES - OPEN BEEFMASTER	3,300.00	
ENTRY FEES - OPEN & JR. LLAMAS	1,000.00	
ENTRY FEE - JR. OTHER BREEDS	1,600.00	
ENTRY FEES - JR. BEEFMASTER	2,800.00	
ENTRY FEE - JR. CHAROLAIS	1,000.00	
MISCELLANEOUS	7,000.00	
INSURANCE	5,000.00	
TOTAL INCOME - WTF&R	1,049,150.00	

	2024	
Description	Budget	
WEST TEXAS FAIR & RODEO - EXPENSES		
PERMANENT SALARIES FAIR	85,000.00	
TEMPORARY SALARIES FAIR	4,500.00	
SECURITY FAIR	80,000.00	
CONTRACT LABOR	10,000.00	
CONTRACT SERVICES	80,000.00	
UTILITIES FAIR	32,000.00	
HOTEL ACCOMODATIONS	15,000.00	
TELEPHONE & POSTAGE FAIR	4,000.00	
STRAW & SHAVINGS FAIR	30,000.00	
MATERIALS & SUPPLIES MLM	1,000.00	
MATERIALS & SUPPLIES LIVESTOCK	7,500.00	
MAT. & SUPPLIES JANITORIAL/GEN	14,000.00	
EQUIPMENT RENTAL MAINT-FAIR	8,000.00	
REPAIRS & MAINTENANCE FAIR	8,000.00	
ADVERTISING	38,500.00	
FAIR VOLUNTEER APPRECIATION	12,000.00	
FREE ATTRACTIONS	150,000.00	
INSURANCE FAIR	8,000.00	
REPAIR & MAINT. MLM	500.00	
PARADE	4,000.00	
OFFICE SUPPLIES-FAIR	1,000.00	
RODEO QUEEN EXPENSE	7,000.00	
LIVESTOCK JUDGING EXPENSE	3,000.00	
SPONSORSHIP EXPENSE	3,500.00	
PREMIUMS - JR. SIMMENTAL/SIMBR	1,000.00	
PREMIUMS - OPEN ANGUS	1,000.00	
PREMIUMS - JR. STEER	13,000.00	
PREMIUMS - OPEN BEEFMASTER	2,000.00	
PREMIUMS - OPEN HEREFORD	700.00	
PREMIUMS - OPEN POLLED HEREFOR	800.00	
PREMIUMS - OPEN RED ANGUS	1,200.00	
PREMIUMS - YOUTH MEAT GOAT	1,500.00	
PREMIUM - JR. OTHER BREED HEIF	1,000.00	
PREMIUMS - PRE JR MINI HEREFORD	500.00	
PREMIUMS - JR MINI HEREFORDS	500.00	
PREMIUMS - OPEN MINI HEREFORDS	250.00	
PREMIUMS - OPEN BREEDING SHEEP	3,000.00	
PREMIUMS - OPEN SWINE	2,500.00	
PREMIUMS - POULTRY	700.00	
PREMIUMS - JR. LONGHORN	1,000.00	
PREMIUMS - OPEN BOER GOAT	2,000.00	
PREMIUMS - JR. BEEFMASTERS	1,500.00	
PREMIUMS - JR. RABBIT	500.00	
PREMIUMS - JR. BRANGUS	2,000.00	
PREMIUMS - JR. ANGUS	1,000.00	
PREMIUMS - JR. SHORTHORN	500.00	
PREMIUMS - JR. HEREFORD	500.00	
PREMIUMS - JR. POLLED HEREFORD	2,500.00	
PREMIUMS - JR. LIMOUSIN	2,000.00	
PREMIUMS - OPEN & JR. LLAMAS	900.00	
PREMIUMS - JR. RED ANGUS	1,000.00	
PREMIUMS - OTHER MLM	10,000.00	
PREMIUMS - OPEN MARKET LAMBS	8,500.00	
PREMIUMS - JR. CHAROLAIS	500.00	
RODEO EXPENSES	200,000.00	
PREMIUMS - OPEN LONGHORN	1,500.00	
LIVESTOCK & HORSE SHOW FEE/DUE	5,000.00	
LIVESTOCK JUDGES	13,000.00	
TICKETS	5,000.00	
TROPHIES & PLAQUES	8,000.00	
RIBBONS & BANNERS	3,000.00	
MISCELLANEOUS	10,000.00	
DECORATOR SERVICES	15,000.00	
TOTAL EXPENSES WTF&R	931,050.00	
NET INCOME WTF&R	84,600.00	

Description	2024	
	Budget	
WESTERN HERITAGE CLASSIC - INCOME		
DONATIONS & SPONSORSHIPS	170,000.00	
RHINESTONE SPONSORS	10,000.00	
RHINESTONE ROUND UP	60,000.00	
T-SHIRT & CAP SALES	8,500.00	
GATE RECEIPTS	45,000.00	
DANCES	25,000.00	
RODEO TICKETS	243,000.00	
FOOD BOOTH RECEIPTS	4,000.00	
CHUCKWAGON COOK-OFF	10,000.00	
TRADE SHOW	49,000.00	
BIT AND SPUR SHOW	15,000.00	
MATCHED HORSE RACES	50,000.00	
CONCESSIONS	17,000.00	
WHC MISCELLANEOUS INCOME	500.00	
CHILDREN'S ACTIVITIES	500.00	
TOTAL INCOME	707,500.00	
WESTERN HERITAGE CLASSIC - EXPENSES		
DONATIONS-CHARITABLE ORGANIZAT	5,000.00	
RHINESTONE ROUND UP	70,000.00	
POETRY & MUSIC	8,000.00	
RODEO EXPENSES	80,000.00	
HORSE DEMONSTRATION/CLINIC	4,500.00	
DIAMOND DOLLS	500.00	
CHUCKWAGON COOK-OFF EXPENSE	15,000.00	
SPONSORS	100,000.00	
IN-KIND SPONSOR COSTS	6,000.00	
ADVERTISING	23,000.00	
PRINTING & OFFICE SUPPLIES	3,500.00	
AWARDS	53,000.00	
POSTAGE & TELEPHONE	2,000.00	
INSURANCE	3,000.00	
LABOR	4,500.00	
CONTRACT SERVICES	33,000.00	
DOWNTOWN ACTIVITIES	1,000.00	
TRAVEL & LODGING EXPENSE	6,000.00	
DANCES	16,000.00	
UTILITIES	19,000.00	
SALARIES	65,000.00	
PROGRAMS	9,000.00	
MATERIALS & SUPPLIES	9,000.00	
TRADE SHOW EXPENSE	500.00	
FIDDLER'S CONTEST	2,200.00	
SECURITY	27,000.00	
PHOTOGRAPHY	5,000.00	
FOOD BOOTH EXPENSE	500.00	
VOLUNTEER APPRECIATION	4,500.00	
HORSE SALE	1,000.00	
PUBLICITY	16,000.00	
T-SHIRT & CAP EXPENSE	7,000.00	
MATCHED HORSE RACES	8,000.00	
BIT & SPUR EXPENSES	2,400.00	
PARADE	3,000.00	
WHC MISCELLANEOUS EXPENSE	10,000.00	
WORKING COWDOG DEMONSTRATION	3,000.00	
STICKHORSE RODEO PRODUCTION	2,500.00	
FRONTIER SAMPLER		
TOTAL EXPENSE	628,600.00	
NET INCOME - WHC	78,900.00	
Net Income (Loss)	165,800.00	

Resolution Approving the Taylor County Expo Center FY 2024 Budget





Resolution Approving the Taylor County Expo Center FY 2024 Budget

- In accordance with the agreement with the Taylor County Expo Center for expenditure of hotel occupancy taxes, the budget of the Expo Center must be approved by City Council based on a review and recommendation by the City Manager.
- The City Manager has reviewed the FY 2024 budget and recommends approval.





Resolution Approving the Taylor County Expo Center FY 2024 Budget

Questions?





City Council Agenda Memo

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Rodney Taylor, Director

SUBJECT: 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with United States Geological Survey for Streamflow Monitoring Stations (Rodney Taylor)

GENERAL INFORMATION

The Water Utilities Department is requesting that the Abilene City Council approve a written resolution authorizing the City Manager to execute a contract with the United States Department of the Interior, U.S. Geological Survey (USGS), in the amount of \$191,145.00 for an annual contract to operate and maintain monitoring stations for various lakes and streams in this region. The Contract has an effective date from October 1, 2023 to September 30, 2024. The contract provides for monitoring of stream flow and lake levels. It also provides for more specialized water quality monitoring of certain stream segments associated with permitting.

SPECIAL CONSIDERATIONS

The City of Abilene (City) operates water supply facilities which requires City staff to monitor the conditions of regional streams, rivers, and lakes. The City's operation of water supply and wastewater treatment facilities requires the monitoring of discharges, stream flows, and water quality parameters in order to obtain and/or comply with discharge permits and water rights permits. There are several streams and lakes in and near the City for which the City benefits from the ability to monitor stream flows and lake levels during heavy rainfall events. The USGS contracts to provide facilities and services for the monitoring of stream flows, lake levels, and water quality parameters. Lake level and stream flow gauging stations are important tools used to provide both current conditions and long term historical data for permanent records and trending. Abilene currently cooperates with the USGS to fund specific sites that have importance to our organization and our community. There are currently five locations continuously measuring stream flows, two locations continuously measuring lake elevations, and two locations taking discharge measurements. The Contract also provides for water sampling services of five locations. The resolution authorizes the City Manager to execute the contract with USGS in the amount of \$191,145.

FUNDING/FISCAL IMPACT

Funds for this contract will come from the FY24 Annual Operating Budget of the Water Utilities Department.

STAFF RECOMMENDATION

Staff recommends that the Abilene City Council approve the resolution authorizing a contract with United States Geological Survey for lake and stream flow monitoring for FY24 in the amount of \$191,145.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-Authorize Contract-USGS-Gauging Stations-9-28-2023
2. Contract-Streamflow monitoring-USGS-9-28-2023
3. Presentation-Contract-Streamflow Monitoring-USGS-9-28-2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING A CONTRACT WITH THE UNITED STATES GEOLOGICAL
SURVEY FOR THE OPERATION AND MAINTENANCE OF SURFACE WATER DATA
COLLECTION FACILITIES.**

WHEREAS, the City of Abilene (City) operates water supply facilities which requires City staff to monitor the conditions of regional streams, rivers, and lakes; and

WHEREAS, the City's operation of water supply and wastewater treatment facilities requires the monitoring of discharges, stream flows, and water quality parameters in order to obtain and/or comply with discharge permits and water rights permits; and

WHEREAS, there are several streams and lakes in and near the City for which the City benefits from the ability to monitor stream flows and lake levels during heavy rainfall events; and

WHEREAS, the United States Department of the Interior - United States Geological Survey (USGS) provides facilities and services for the monitoring of stream flows, lake levels, and water quality parameters; and

WHEREAS, the USGS does agree to install, own, and operate stream flow, reservoir elevation, discharge flow, and/or water quality sample collection and processing facilities at specific locations which benefit the City; and

WHEREAS, USGS has developed a Joint Funding Agreement for Water Resource Investigations (Contract) to provide those monitoring services for the one year period of October 1, 2023 through September 30, 2024 and which has a value of \$191,145.00; 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 Contract with USGS for Water Resource Investigations in the amount of \$191,145.00.

ADOPTED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000484
Agreement #: 24SJFATX023000
Project #: SJ009ME
TIN #: 75-6000440

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2023, by the U.S. GEOLOGICAL SURVEY, Oklahoma-Texas Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Abilene party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$34,380 by the party of the first part during the period
October 1, 2023 to September 30, 2024
- (b) \$191,145 by the party of the second part during the period
October 1, 2023 to September 30, 2024
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs,
in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be
determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters
between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www2.usgs.gov/fsp/>).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000484
Agreement #: 24SJFATX023000
Project #: SJ009ME
TIN #: 75-6000440

9. Billing for this agreement will be rendered quarterly. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Gregory Stanton
Branch Chief - Central Texas
Address: 1505 Ferguson Lane
Austin, TX 78754
Telephone: (512) 927-3558
Fax: (512) 927-3590
Email: gstanton@usgs.gov

Customer Technical Point of Contact

Name: Rodney Taylor
Director of Water Utilities
Address: 555 Walnut Street
Abilene, TX 79601
Telephone: (325) 676-6452
Fax:
Email: rodney.taylor@abilenetx.com

USGS Billing Point of Contact

Name: Kandis Becher
Budget Analyst
Address: 501 W. Felix Street Bldg 24
Fort Worth, TX 76115
Telephone: (882) 316-5051
Fax: (882) 316-5022
Email: kkbecher@usgs.gov

Customer Billing Point of Contact

Name: Valerie Ramos
Address: PO BOX 60
Abilene, TX 79604
Telephone: (325) 676-6419
Fax:
Email: valerie.ramos@abilenetx.com

U.S. Geological Survey
United States
Department of Interior

City of Abilene

Signature

By TIMOTHY RAINES Digitally signed by
TIMOTHY RAINES
Date: 2023.07.19
17:08:46 -0500 Date: _____
Name: Timothy H. Raines
Title: Director

Signatures

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

City of Abilene
24SJFATX023000

Site Information

Description	Code	Units	Diff. Factor	USGS Funds	Customer Funds	Total
001: SURFACE WATER DATA COLLECTION						
Site: 08083235 Clear Fk Brazos Rv nr Anson, TX Full Range Streamflow Station	QCONT	1.00	1.00	\$4,140	\$12,160	\$16,300
	Site Totals:			\$4,140	\$12,160	\$16,300
Site: 08083270 Lk Abilene nr Buffalo Gap, TX Reservoir Elevation	RES-E	1.00	1.00	\$0	\$6,750	\$6,750
	Site Totals:			\$0	\$6,750	\$6,750
Site: 08083420 Cat Claw Ck at Abilene, TX Full Range Streamflow Station	QCONT	1.00	1.00	\$5,580	\$10,720	\$16,300
	Site Totals:			\$5,580	\$10,720	\$16,300
Site: 08083480 Cedar Ck at IH 20, Abilene, TX Full Range Streamflow Station	QCONT	1.00	1.00	\$5,580	\$10,720	\$16,300
	Site Totals:			\$5,580	\$10,720	\$16,300
Site: 08084000 Clear Fk Brazos Rv at Nugent, TX Full Range Streamflow Station	QCONT	1.00	1.00	\$5,580	\$10,720	\$16,300
	Site Totals:			\$5,580	\$10,720	\$16,300
Site: 08084100 Deadman Ck nr Nugent, TX Discharge Measurement	QMEAS	9.00	1.00	\$0	\$4,200	\$4,200
	Site Totals:			\$0	\$4,200	\$4,200
Site: 08084200 Clear Fk Brazos Rv at Lueders, TX Full Range Streamflow Station	QCONT	1.00	1.00	\$0	\$16,300	\$16,300
Rain Gage Publication	RSTPUB	1.00	1.00	\$0	\$3,000	\$3,000
	Site Totals:			\$0	\$19,300	\$19,300
Site: 08084300 Clear Fk Brazos Rv at Krooked Lodge nr Lueders, TX Discharge Measurement	QMEAS	9.00	1.00	\$0	\$4,200	\$4,200
	Site Totals:			\$0	\$4,200	\$4,200
Site: 08083460 Kirby Lake at Abilene, Texas Reservoir Elevation	RES-E	1.00	1.00	\$0	\$6,750	\$6,750
	Site Totals:			\$0	\$6,750	\$6,750
SURFACE WATER TOTAL:				\$20,880	\$85,520	\$106,400

003: WATER QUALITY DATA COLLECTION

Site: 08084000 Clear Fk Brazos Rv at Nugent, TX

Periodic Sample Collection and Processing	WQSPER	9.00	1.00	\$3,375	\$13,875	\$17,250
Suspended Sediment Concentration	WQSSC	9.00	1.00	\$0	\$650	\$650
Pheophytin A and Chlorophyll a	LC3152	9.00	1.00	\$0	\$1,015	\$1,015
Turbidity	LC2187	9.00	1.00	\$0	\$450	\$450
Total Organic Carbon	LC3211	9.00	1.00	\$0	\$410	\$410
Major Inorganic Ions	S1022	9.00	1.00	\$0	\$2,450	\$2,450
Nutrients: Total and Fractions of Nitrogen and Phosphorus	S2711	9.00	1.00	\$0	\$1,600	\$1,600
Site Totals:				\$3,375	\$20,450	\$23,825

Site: 08084100 Deadman Ck nr Nugent, TX

Periodic Sample Collection and Processing	WQSPER	9.00	1.00	\$3,375	\$13,875	\$17,250
Suspended Sediment Concentration	WQSSC	9.00	1.00	\$0	\$650	\$650
Pheophytin A and Chlorophyll a	LC3152	9.00	1.00	\$0	\$1,015	\$1,015
Turbidity	LC2187	9.00	1.00	\$0	\$450	\$450
Total Organic Carbon	LC3211	9.00	1.00	\$0	\$410	\$410
Major Inorganic Ions	S1022	9.00	1.00	\$0	\$2,450	\$2,450
Nutrients: Total and Fractions of Nitrogen and Phosphorus	S2711	9.00	1.00	\$0	\$1,600	\$1,600
Site Totals:				\$3,375	\$20,450	\$23,825

Site: 08084200 Clear Fk Brazos Rv at Lueders, TX

Periodic Sample Collection and Processing	WQSPER	9.00	1.00	\$3,375	\$13,875	\$17,250
Suspended Sediment Concentration	WQSSC	9.00	1.00	\$0	\$650	\$650
Pheophytin A and Chlorophyll a	LC3152	9.00	1.00	\$0	\$1,015	\$1,015
Turbidity	LC2187	9.00	1.00	\$0	\$450	\$450
Total Organic Carbon	LC3211	9.00	1.00	\$0	\$410	\$410
Major Inorganic Ions	S1022	9.00	1.00	\$0	\$2,450	\$2,450
Nutrients: Total and Fractions of Nitrogen and Phosphorus	S2711	9.00	1.00	\$0	\$1,600	\$1,600
Site Totals:				\$3,375	\$20,450	\$23,825

Site: 08084300 Clear Fk Brazos Rv at Krooked Lodge nr Lueders, TX

Periodic Sample Collection and Processing	WQSPER	9.00	1.00	\$0	\$17,250	\$17,250
Suspended Sediment Concentration	WQSSC	9.00	1.00	\$0	\$650	\$650
Pheophytin A and Chlorophyll a	LC3152	9.00	1.00	\$0	\$1,015	\$1,015
Turbidity	LC2187	9.00	1.00	\$0	\$450	\$450
Total Organic Carbon	LC3211	9.00	1.00	\$0	\$410	\$410
Major Inorganic Ions	S1022	9.00	1.00	\$0	\$2,450	\$2,450
Nutrients: Total and Fractions of Nitrogen and Phosphorus	S2711	9.00	1.00	\$0	\$1,600	\$1,600
Site Totals:				\$0	\$23,825	\$23,825

Site: 08085500 Clear Fk Brazos Rv at Ft Griffin, TX

Periodic Sample Collection and Processing	WQSPER	9.00	1.00	\$3,375	\$13,875	\$17,250
Suspended Sediment Concentration	WQSSC	9.00	1.00	\$0	\$650	\$650
Pheophytin A and Chlorophyll a	LC3152	9.00	1.00	\$0	\$1,015	\$1,015
Turbidity	LC2187	9.00	1.00	\$0	\$450	\$450
Total Organic Carbon	LC3211	9.00	1.00	\$0	\$410	\$410
Major Inorganic Ions	S1022	9.00	1.00	\$0	\$2,450	\$2,450
Nutrients: Total and Fractions of Nitrogen and Phosphorus	S2711	9.00	1.00	\$0	\$1,600	\$1,600
Site Totals:				\$3,375	\$20,450	\$23,825
WATER QUALITY TOTAL:				\$13,500	\$105,625	\$119,125

PROJECT	USGS FUNDS	CUSTOMER FUNDS	TOTAL COST
00160: SURFACE WATER	\$20,880	\$85,520	\$106,400
00360: WATER QUALITY	\$13,500	\$105,625	\$119,125
AGREEMENT TOTAL:	\$34,380	\$191,145	\$225,525

**Resolution Authorizing the Contract with
United States Geological Survey
for Surface Water Data Collection Facilities.**





USGS MONITORING STATIONS

- Contract with United States Geological Survey.
- Contract amount of \$191,145.00.
- Contract period FY24
- USGS and City of Abilene share the costs for installation, maintenance and operations of the gauging stations.





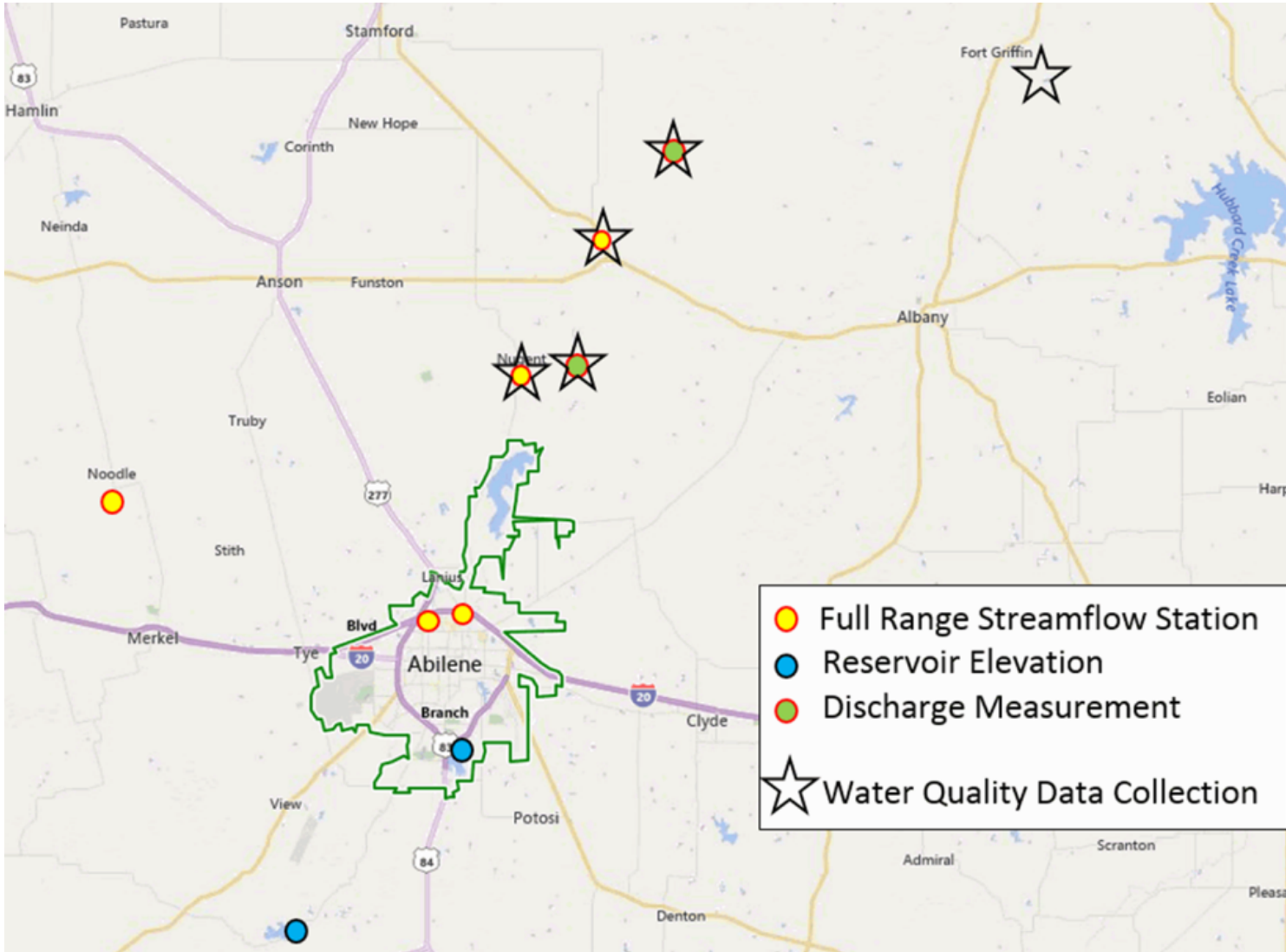
USGS MONITORING STATIONS

- The monitoring of discharges, stream flows, and water quality parameters is often necessary for obtaining and/or complying with discharge permits and water rights permits.
- Remote monitoring of stream flows and lake levels provides benefits to the City, especially during heavy rainfall events.
- Contract provides for the following:
 - Monitoring Streamflow at 5 sites
 - Reservoir Elevation at 2 sites
 - Discharge Measurement at 2 sites
 - Water Quality Data Collection at 5 sites.





USGS MONITORING STATIONS



USGS Monitoring Station Locations



**Resolution Authorizing the Contract with
United States Geological Survey
for Surface Water Data Collection Facilities.**

Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Rodney Taylor, Director

SUBJECT: 8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bids for Purchase of Bulk Chemicals to be Used by Water and Wastewater Treatment Plants in Fiscal Year 2024 (*Rodney Taylor*)

GENERAL INFORMATION

The City of Abilene Water Utilities Department is requesting that by written resolution the Abilene City Council award bids for CB-2366 Water Treatment Chemicals. The bid is for the purchase of bulk chemicals to be used in water and wastewater treatment processes. Notices were published in the Abilene Reporter News on August 13th and August 20th, and the bid opening date was September 1st, 2023. The following table lists the individual chemicals bid, the staff recommended low bidder, the unit price for that bid, the pricing unit used for each chemical, and the maximum projected annual cost for each chemical during fiscal year 2024. It is customary that the bulk treatment chemicals be purchased based on unit prices.

SPECIAL CONSIDERATIONS

The following chemicals are used for the treatment of drinking water at the Grimes, Northeast, and Hargesheimer Water Treatment Plants, and/or for the treatment of wastewater at the Hamby Water Reclamation Facility.

CHEMICAL	RECOMMENDED VENDOR	UNIT PRICE	PRICING UNIT	ANNUAL \$
Liquid Chlorine	DPC Industries, Inc.	2,379.00	Ton	\$796,372.44
Liquid Oxygen	Air Products	0.008	Cubic Ft.	\$33,148.80
Bleach (Mini-Bulk)	Hydro Plus, LLC	3.90	Gallon	\$27,300.00
Bleach (Bulk)	DPC Industries, Inc.	2.07	Gallon	\$1,035,000.00
Dry Polymer	SNF Polydyne	3,800.00	Dry Ton	\$89,460.81
Sodium Permanganate	Chemrite Inc.	14.94	Gallon	\$19,520.60
Alum	Chameleon Industries Inc.	0.079	Wet Pound	\$1,358,528.14
LAS	Chameleon Industries Inc.	0.16	Wet Pound	\$324,726.24
Citric Acid	Chemstation	1.19	Wet Pound	\$382,137.56

Fluorosilicic Acid	Pennco, Inc.	0.2935	Wet Pound	\$70,028.08
Ferrous Chloride	Pennco, Inc.	0.203	Wet Pound	\$572,917.97
Ferric Sulfate	Pennco, Inc.	0.161	Wet Pound	\$435,450.58
Sodium Chlorite	Evoqua Water Technologies, LLC	0.549	Wet Pound	\$774,709.27
Caustic	DPC Industries, Inc.	0.1261	Wet Pound	\$1,112,544.89
Sodium Bisulfite 40%	Poole Chemical	0.1246	Wet Pound	\$103,734.55
Estimated Annual Total				\$7,135,579.93

City staff evaluated each of the above listed bids for conformance with the specifications, and the list identifies the recommended low bidder and unit price for each bulk chemical bid item for fiscal year 2024.

FUNDING/FISCAL IMPACT

Funds for the purchase of bulk chemicals come from the fiscal year 2024 Annual Operating Budget of the Water Utilities Department.

STAFF RECOMMENDATION

It is recommended that the Abilene City Council award the bids for the purchase of bulk chemicals for FY24 as described above and as recommended by staff.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-WtrDpt-AwardBid-Purchase Bulk Chemicals for W-WW Treatment-FY24-9-28-2023
2. Bid Tab Sheet-CB-2366-Annual Bulk Chemical Bids-9-28-2023
3. Presentation-Resolution Award Bid for Purchase of Bulk Chemicals for W-WW-FY24-9-28-2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING BID TO VARIOUS VENDORS FOR THE PURCHASE OF BULK
CHEMICALS USED FOR WATER AND WASTEWATER TREATMENT PROCESSES
DURING FISCAL YEAR 2024.**

WHEREAS, The City of Abilene (City) owns and operates the Grimes, Northeast, and Hargesheimer Water Treatment Plants (WTPs) and the Hamby Water Reclamation Facility (WRF); and

WHEREAS, the WTPs and the WRF utilize large quantities of chemicals in the respective treatment processes, and the chemicals are purchased in bulk quantities from various vendors based on the results of an annual bid solicitation process; and

WHEREAS, City staff evaluated all bids for conformance with the specifications, and the following list identifies the recommended low bidder and unit price for each bulk chemical bid item for fiscal year 2024:

CHEMICAL	RECOMMENDED VENDOR	UNIT PRICE	PRICING UNIT	ANNUAL \$
Liquid Chlorine	DPC Industries, Inc.	2,379.00	Ton	\$796,372.44
Liquid Oxygen	Air Products	0.008	Cubic Ft.	\$33,148.80
Bleach (Mini-Bulk)	Hydro Plus, LLC	3.90	Gallon	\$27,300.00
Bleach (Bulk)	DPC Industries, Inc.	2.07	Gallon	\$1,035,000.00
Dry Polymer	SNF Polydyne	3,800.00	Dry Ton	\$89,460.81
Sodium Permanganate	Chemrite Inc.	14.94	Gallon	\$19,520.60
Alum	Chameleon Industries Inc.	0.079	Wet Pound	\$1,358,528.14
LAS	Chameleon Industries Inc.	0.16	Wet Pound	\$324,726.24
Citric Acid	Chemstation	1.19	Wet Pound	\$382,137.56
Fluorosilicic Acid	Pennco, Inc.	0.2935	Wet Pound	\$70,028.08
Ferrous Chloride	Pennco, Inc.	0.203	Wet Pound	\$572,917.97
Ferric Sulfate	Pennco, Inc.	0.161	Wet Pound	\$435,450.58
Sodium Chlorite	Evoqua Water Technologies, LLC	0.549	Wet Pound	\$774,709.27
Caustic	DPC Industries, Inc.	0.1261	Wet Pound	\$1,112,544.89
Sodium Bisulfite 40%	Poole Chemical	0.1246	Wet Pound	\$103,734.55
Estimated Annual Total				\$7,135,579.93

WHEREAS, all listed chemicals were included in bid CB-2366; and

WHEREAS, City staff, after evaluating the bid submittals for fiscal year 2024, does recommend awarding the bids to the low bidders identified herein; and

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

The City Manager is hereby authorized to make purchases from each low bidder identified above in the amount of each associated unit price for the fiscal year 2024.

ADOPTED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney

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

DEPARTMENT: WATER
BID NO.: CB-2366
TIME OF OPENING: 2:00 P.M.
DATE OF OPENING: SEPTEMBER 1, 2023

VENDOR / ITEM DESCRIPTION	ITEM 1. LIQUID CHLORINE	ITEM 2. LIQUID OXYGEN	ITEM 3. BLEACH MINI-BULK	ITEM 4. BLEACH BULK	ITEM 5. POLYMER	ITEM 6. SODIUM PERMAN- GANATE	ITEM 7. ALUM	ITEM 8. LAS	ITEM 9. CITRIC ACID	ITEM 10. FLUORO- SILICIC ACID	ITEM 11. FERROUS CHLORIDE	ITEM 12. FERRIC SULFATE	ITEM 13. SODIUM CHLORITE	ITEM 14. CAUSTIC	ITEM 15. SODIUM BISULFITE
DPC INDUSTRIES, INC. SWEETWATER, TX	*\$2,379.00			\$2.07										*\$0.1261	
SNF POLYDYNE RICEBORO, GA					*\$3,800.00										
UNIVAR USA INC. KENT, WA						\$20.58	\$0.139			\$0.31				\$0.151	
CHEMTRADE PARSIPPANY, NJ							\$0.1526	\$0.27				\$0.1795			
USALCO, LLC BALTIMORE, MD							\$0.176305								
PENCCO, INC. SAN FELIPE, TX								\$0.23		*\$0.2935	*\$0.203	*\$0.161			
CHEMSTATION TEXAS PLAINS ABILENE, TX									**\$1.19						
EVOQUA WATER TECHNOLOGIES SARASOTA, FL													*\$0.549		
SHANNON CHEMICAL CORPORATION MALVERN, PA						\$16.44			\$1.34	\$0.64					
GASOCHEM INTERNATIONAL LLC HOUSTON, TX							\$0.155								
POOLE CHEMICAL/DIMMIT SULFUR SOLUTIONS PORTALES, NM															*\$0.1246
NALCO WATER NAPERVILLE, IL				\$2.39											
SOUTHERN IONICS WEST POINT, MS															\$0.1975
CHEMRITE INCORPORATED BUFORD, GA						*\$14.94			\$1.17						
THORNTON, MUSSO, AND BELLEMIN, INC. GONZALES, LA									\$1.65						
TR INTERNATIONAL EDMONDS, WA							\$0.155								
INTERNATIONAL DIOXIDE INC. NORTH KINGSTOWN, RI													\$0.626		
AIR PRODUCTS ALLENTOWN, PA		*\$0.008													
CHAMELEON INDUSTRIES INC MESQUITE, TX							*\$0.079	*\$0.16							
BAKER SERVICES INC ATCHISON, KS								\$0.19							
HYDRO PLUS ABILENE, TX			*\$3.90					\$0.22	\$1.90						

*Recommended Award / **5% Local Vendor Preference

Awarding Bids for Purchase of Bulk Chemicals Used for Water and Wastewater Treatment Plants During Fiscal Year 2024.





Chemical Bids for FY24

- The City's three Water Treatment Plants and the Water Reclamation Plant utilize large quantities of chemicals in the respective treatment processes.
- Treatment chemicals are purchased in bulk quantities from various vendors based on the results of an annual bid solicitation process.





Chemical Bids for FY24

- It is typical that bulk chemicals be purchased using unit pricing.
- All listed chemicals were included in bid CB-2366





Chemical Bids for FY24

CHEMICAL	RECOMMENDED VENDOR	UNIT PRICE	PRICING UNIT	ANNUAL \$
Liquid Chlorine	DPC Industries, Inc.	2,379.00	Ton	\$796,372.44
Liquid Oxygen	Air Products	0.008	Cubic Ft.	\$33,148.80
Bleach (Mini-Bulk)	Hydro Plus, LLC	3.90	Gallon	\$27,300.00
Bleach (Bulk)	DPC Industries, Inc.	2.07	Gallon	\$1,035,000.00
Dry Polymer	SNF Polydyne	3,800.00	Dry Ton	\$89,460.81
Sodium Permanganate	Chemrite Inc.	14.94	Gallon	\$19,520.60
Alum	Chameleon Industries Inc.	0.079	Wet Pound	\$1,358,528.14
LAS	Chameleon Industries Inc.	0.16	Wet Pound	\$324,726.24
Citric Acid	Chemstation	1.19	Wet Pound	\$382,137.56
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Ferrous Chloride	Pennco, Inc.	0.203	Wet Pound	\$572,917.97
Ferric Sulfate	Pennco, Inc.	0.161	Wet Pound	\$435,450.58
Sodium Chlorite	Evoqua Water Technologies, LLC	0.549	Wet Pound	\$774,709.27
Caustic	DPC Industries, Inc.	0.1261	Wet Pound	\$1,112,544.89
Sodium Bisulfite 40%	Poole Chemical	0.1246	Wet Pound	\$103,734.55
Estimated Annual Total				\$7,135,579.93



Awarding Bids for Purchase of Bulk Chemicals Used for Water and Wastewater Treatment Plants During Fiscal Year 2024.





City Council Agenda Memo

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Rodney Taylor, Director

SUBJECT: 9. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid to Starks Construction Company Inc. for the Hwy 83/FM3034 Water Line Relocation (*Rodney Taylor*)

GENERAL INFORMATION

Water Utilities staff is recommending that the Abilene City Council award the bid to Starks Construction Company, Inc. (Starks) of Abilene, TX in the amount of \$728,841.00 for the Hwy 83/FM 3034 Water Line Relocation Project, CB-2363 (Project). The bid was advertised in the Abilene Reporter News on August 6th and 13th, 2023. A total of six bids were received on August 30, 2023. The lowest value bidder was not able to meet the bonding requirements and therefore withdrew its bid. The bids were evaluated using the "best value" competitive bidding method. City staff and the Project Engineer evaluated the bids and determined that the second lowest bid submitted by Starks provides the best value for the City of Abilene.

The bid item includes an "Owners Allowance" in the amount of \$50,000.00 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 Texas Department of Transportation (TxDOT) has a pending project for the construction of an overpass and the rerouting of the FM 3034 intersection with Hwy 83 north of Abilene. The Hwy 83/FM 3034 Water Line Relocation Project is for the relocation of an existing 8inch AC water pipeline which is an obstruction to the planned highway construction project, and the installation of a new 12inch PVC water pipeline to be located in easements adjacent to the TxDOT ROW. The work also includes the removal of existing water pipeline from the TxDOT ROW.

FUNDING/FISCAL IMPACT

Funding for this project will utilize water utility funds designated for capital improvement projects.

STAFF RECOMMENDATION

Staff recommends that the Abilene City Council award the bid for the Hwy 83/FM 3034 Water Line Relocation Project to Starks Construction Company, Inc. in the amount of \$728,841.00.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-WtrDpt-Award Bid-Starks Construction Co-Hwy 83 - FM 3034 WL Relocation-9-28-2023
2. Letter or Recommendation-Bid Tab-Hwy83 FM 3034 WL Relocation-Starks-9-28-2023
3. Presentation-Award Bid-Starks Construction Co-Hwy 83 - FM 3034 WL Relocation-9-28-2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING THE BID TO STARKS CONSTRUCTION COMPANY, INC. FOR THE
HWY 83 / FM 3034 WATER LINE RELOCATION PROJECT.**

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

WHEREAS, the City has an existing 8inch water pipeline located within the right of way of State Highway 83 north of Abilene; and

WHEREAS, the Texas Department of Transportation has a project to realign the intersection of FM 3034 with Highway 83 and the City's water pipeline is an obstruction to that project; and

WHEREAS, Jacob and Martin, LLC (JM) is providing plans and contract documents, bidding assistance, general project supervision, and contract administration for the water line relocation project; and

WHEREAS, Starks Construction Company, Inc. (Starks) submitted the lowest priced qualifying bid in the amount of \$728,841.00, 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 Starks in the amount of \$728,841.00; 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 Starks Construction Company, Inc. for the Hwy 83 / FM 3034 Water Line Relocation Project in the amount of \$728,841.00.

ADOPTED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney



INTEGRITY
EXCELLENCE
TRUST

September 18, 2023

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

RE: Hwy 83 / FM 3034 Water Line Relocation
Letter of Recommendation

Sent: Via Email

Dear Mr. Taylor:

On August 30, 2023, bids were opened for the Hwy 83 / FM 3034 Water Line Relocation project. There were six bids received for this project. A bid tabulation sheet summarizing the bids is included as an attachment to this letter. The six bids have been evaluated based on "Best Value" criteria included in the contract documents. We have reviewed all bids for conformity with the contract documents and checked their references. The low bidder, Leetech Solutions, LLC, voluntarily removed their bid and therefore was not considered for award. Based on our evaluation of the bids, it is our conclusion that Starks Construction Company, Inc. provides the "Best Value" competitive bid at a contract amount of \$728,841.00.

Jacob and Martin recommends the contract be awarded to Starks Construction Company, Inc. for the contract amount of \$728,841.00. If the Water Department and City Council agrees with the recommendation for award, Jacob and Martin will prepare contract documents for execution by Starks Construction Company, Inc. and the City. Feel free to contact me if you have any questions.

Sincerely,

JACOB | MARTIN

Kirt Harle, P.E.
Attachments – Bid Tabulation



3465 Curry Lane
Abilene, TX 79606
325.695.1070

908 S. Main Street, Suite 100
Boerne, TX 78006
325.695.1070

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

1925 Fort Worth Highway
Weatherford, TX 76086
817.594.9880

Bid Tabulation

Engineer: Jacob & Martin, LLC
Abilene, Texas

For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the Following:																	
				Leetech Solutions, LLC		Starks Construction Co., Inc.		Whitney Underground Utilities, Inc.				Bontke Brothers Construction		J&N Construction, LLC		Housley Communications, Inc.	
				2399 FM 614		7449 Lantana Avenue		1700 CR 3505				102 College Drive		6849 E. Hwy 80		3550 S. Bryant Blvd.	
				Ovalo, TX 79541		Abilene, TX 79606		Valley Mills, TX 76689				Abilene, TX 79601		Abilene, TX 79601		San Angelo, TX 76903	
Item #	Item Description	Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
1	Mobilization, Bonds, and Insurance	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		
2	12" DR18 C900 PVC Water Line	2360	LF	\$ 79.00	\$ 186,440.00	\$ 120.00	\$ 283,200.00	\$ 117.00	\$ 276,120.00	\$ 92.00	\$ 217,120.00	\$ 99.49	\$ 234,796.40	\$ 98.00	\$ 231,280.00		
3	20" Bore and HDPE Encasement with 12" Fusible PVC Carrier Pipe (TxDOT)	400	LF	\$ 320.00	\$ 128,000.00	\$ 500.00	\$ 200,000.00	\$ 350.00	\$ 140,000.00	\$ 520.00	\$ 208,000.00	\$ 375.00	\$ 150,000.00	\$ 658.00	\$ 263,200.00		
4	12" Gate Valve and Box	4	EA	\$ 4,500.00	\$ 18,000.00	\$ 6,500.00	\$ 26,000.00	\$ 6,000.00	\$ 24,000.00	\$ 7,000.00	\$ 28,000.00	\$ 5,000.00	\$ 20,000.00	\$ 6,993.00	\$ 27,972.00		
5	8" Gate Valve and Box	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 3,600.00	\$ 3,600.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,500.00	\$ 3,500.00	\$ 4,434.00	\$ 4,434.00		
6	8" Water Line Connection	1	EA	\$ 3,500.00	\$ 3,500.00	\$ 2,600.00	\$ 2,600.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 7,500.00	\$ 7,500.00	\$ 9,275.00	\$ 9,275.00		
7	Fire Hydrant Assembly	3	EA	\$ 8,000.00	\$ 24,000.00	\$ 6,600.00	\$ 19,800.00	\$ 8,000.00	\$ 24,000.00	\$ 8,000.00	\$ 24,000.00	\$ 8,000.00	\$ 24,000.00	\$ 10,393.00	\$ 31,179.00		
8	Removal of Existing 8" AC Pipe	2675	LF	\$ 30.00	\$ 80,250.00	\$ 35.00	\$ 93,625.00	\$ 59.00	\$ 157,825.00	\$ 60.00	\$ 160,500.00	\$ 67.67	\$ 181,017.25	\$ 57.60	\$ 154,080.00		
9	Abandonmnet of Existing 8" AC Pipe	212	LF	\$ 20.00	\$ 4,240.00	\$ 35.00	\$ 7,420.00	\$ 75.00	\$ 15,900.00	\$ 60.00	\$ 12,720.00	\$ 117.93	\$ 25,001.16	\$ 10.00	\$ 2,120.00		
10	Metal Detectable Tape	2360	LF	\$ 1.00	\$ 2,360.00	\$ 0.50	\$ 1,180.00	\$ 1.00	\$ 2,360.00	\$ 1.00	\$ 2,360.00	\$ 0.50	\$ 1,180.00	\$ 0.70	\$ 1,652.00		
11	Tracer Wire	2360	LF	\$ 1.00	\$ 2,360.00	\$ 0.60	\$ 1,416.00	\$ 1.00	\$ 2,360.00	\$ 1.50	\$ 3,540.00	\$ 0.64	\$ 1,510.40	\$ 0.95	\$ 2,242.00		
12	SWPPP and Erosion Control	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00	\$ 6,000.00	\$ 6,000.00	\$ 7,000.00	\$ 7,000.00	\$ 2,500.00	\$ 2,500.00	\$ 24,368.00	\$ 24,368.00		
13	Allowance for work directed and in writing by the city for legitimate Project related issues	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00		
TOTAL BASE BID (Items 1 - 13)					\$ 536,650.00		\$ 728,841.00	*		\$ 730,565.00		\$ 747,240.00	*		\$ 751,005.21		\$ 851,802.00
ADDITIVE ALTERNATE BID																	
Item #	Item Description	Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
A1	20" Bore and Steel Encasement with 12" DR18 C900 Certa-lok PVC Carrier Pipe (If chosen, this item replaces Base Bid Item 3)	400	LF	\$ 300.00	\$ 120,000.00	Not Bid	Not Bid	\$ 360.00	\$ 144,000.00	\$ 550.00	\$ 220,000.00	\$ 460.00	\$ 184,000.00	\$ 641.00	\$ 256,400.00		
TOTAL ADDITIVE ALTERNATE BID (ITEM A1)					\$ 120,000.00		Not Bid		\$ 144,000.00		\$ 220,000.00		\$ 184,000.00		\$ 256,400.00		
TOTAL BID INCLUDING ADDITIVE ALTERNATES (BB ITEMS 1-13 + A1, LESS BB ITEM 3)																	
					\$ 528,650.00		N/A		\$ 734,565.00		\$ 759,240.00		\$ 785,005.21		\$ 845,002.00		

(*) - Extension Error

Award the bid to Starks Construction Company Inc.
for the
Hwy 83 / FM 3034 Water Line Relocation Project





Hwy 83 / FM 3034 Water Line Relocation

- Starks Construction Company, Inc. (Starks) submitted the lowest priced qualifying bid of \$728,841.00, and City staff and the design engineer have determined that the lowest qualifying bid is the best value for the City of Abilene.
- The bid item includes an “Owner’s Allowance” in the amount of \$50,000 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.





Hwy 83 / FM 3034 Water Line Relocation

- The Hwy 83 / FM 3034 Water Line Relocation Project is the construction of a new 12inch PVC water pipeline and related appurtenances along a new alignment within easement adjacent to the TxDOT ROW.
- Certain sections of existing 8inch AC water line will be removed from the TxDOT ROW.
- The water line relocation precedes a pending TxDOT project for realigning the intersection of FM 3034 and Hwy 83.





Hwy 83 / FM 3034 Water Line Relocation



NEW 12 INCH WATER LINE WILL BE INSTALLED WITHIN NEW EASEMENT AND CERTAIN EXISTING SECTIONS OF 8 INCH WATER LINE WILL BE REMOVED FROM THE TXDOT ROW



Award the bid to Starks Construction Company Inc.
for the
Hwy 83 / FM 3034 Water Line Relocation Project

QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Doug Wrenn, Asst Police Chief

SUBJECT: 10. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Real Time Information Center (Doug Wrenn)

GENERAL INFORMATION

The Department would like to use the funds to increase coverage through a Real Time Information in the downtown area through purchase of additional cameras and a server to store information as well as linking to other partners with cameras already in use.

SPECIAL CONSIDERATIONS

Request Approval

FUNDING/FISCAL IMPACT

Total of \$115,137.91 to be used out of the Police Departments Apparatus fund.

STAFF RECOMMENDATION

APD recommends approval by staff.

BOARD OR COMMISSION RECOMMENDATION

APD recommends approval through Council.

ATTACHMENTS:

1. RTIC resolution
2. RTIC Server Proposal Memo
3. City Council- Server Proposal 2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH VGI
TECHNOLOGY.**

WHEREAS, the Abilene Police Department does not have a server dedicated for its Real Time Information Center (RTIC); and

WHEREAS, the Department strives to improve the quality of service through advancements in technology; and

WHEREAS, the use of a server dedicated for video retention of existing camera feeds will aid and enhance policing and add to the overall mission; and

WHEREAS, the Department has identified a server for purchase that will ultimately aid in investigations both in real time and follow-up status; and

WHEREAS, the server provided by VGI Technology will continue our desire to build upon our existing RTIC.

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

PART 1. That the City Manager is authorized to execute all necessary documents to enter into a contract with VGI Technology (BuyBoard Contract #654-21).

PART 2. That this Resolution is effective upon adoption.

ADOPTED this the 28th day of September 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

City Attorney

From: Doug Wrenn, Interim Chief of Police

Date: September 11, 2023

Subject: Police Department Real Time Information Center Server

Purpose

The Abilene Police Department Real Time Information Center (RTIC) is expanding and is needing a server to continue its growth. The RTIC is currently utilizing several cameras around town to monitor calls and assist with investigations. These cameras belong to the City of Abilene and are attached to City owned buildings.

These cameras have helped solve several investigations that were investigated by the Abilene Police Department as well as some outside agencies. The RTIC has been involved with nearly 200 cases since beginning operations at the first of the year. The involvement includes field canvassing for video leads and, more importantly, using the cameras already in place to get video.

The City currently has several traffic queuing cameras at approximately 35 intersections within the City. In order to include these live feed cameras to the RTIC for investigative efforts, a server will need to be purchased and installed. In partnership with our City Information Technology, a network would be built so that all of the traffic cameras can be streamed to the Police Department RTIC for both live feed as well as historical review of footage.

Plan

Funds are available for the server in the APD apparatus fund that will cover the expenses. The server will be purchased from VGI Technology out of San Angelo, Texas and they have provided a quote for the total expense of the server which is a total of \$104,922.90.

The cost of the server is broken down below:

- 100 camera licenses for 100 traffic or exterior cameras at \$300.98 each license for a total of \$30,098.00
- Avigilon Smart Care Plan (3 year) for the 100 cameras priced at \$107.00 each camera for a total of \$10,700.00
- Avigilon 128TB Server priced at \$52,204.90
- Installation, configuration or service of system priced at \$9,575.00
- Travel Expense \$2,345.00

Total Cost = \$104,922.90

There will be no camera purchases made as a part of this agenda item. The cameras that are already in place will be selected for use based upon their individual location and likelihood of assisting with quality of life issues. The Police Department continues to see improved efficiency in the use of these cameras as they may help us determine where services are needed prior to us even getting a call. Additionally, we look forward to the investigative abilities or improvements that having historical camera video footage provides us.

APD Real Time Information Center (RTIC) Server Proposal

The Abilene Police Department's Real Time Information Center is expanding and is needing to purchase a server to continue its growth.



RTIC- Current Projects and Growth

- The APD RTIC is over 8 months into its operation and has been very successful in utilizing existing City owned cameras mounted on City property.
- APD is working to acquire camera feeds from both the State as well as those traffic cameras already owned by the City. These camera feeds will help the RTIC give real time information to Patrol when vehicle collisions or traffic jams occur.



RTIC Server

- In order for our traffic cameras to be live streamed into the APD RTIC headquarters, we will have to purchase a server that has enough storage space for any retention needs we may have for historical review of this footage.
- This server will allow City IT to build a network so that the cameras can be streamed live into APD and used at the disposal of RTIC for information sharing as well as investigative purposes.



Quote Details

- The quote from VGI is under BuyBoard Contract #654-21, and has a total cost of \$104,922.90.
- This includes licensing for up to 100 cameras and an extended warranty on the server itself.
- If granted, the funds for the server will come out of the APD apparatus fund.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Lesli Andrews, Director

SUBJECT: 11. Resolution: Receive a Report, Hold a Discussion and Take Action on Amendment to the Rose Tennis Center Management Agreement (Lesli Andrews)

GENERAL INFORMATION

The City Council requested staff to look at all lease agreements and make sure the following clause was included:

Compliance with Laws:

Lessee ("Contractor" in the Tennis Center Agreement) shall observe and obey all Federal, State, and Local laws and regulations and shall further not permit the violations of such laws and regulations by persons upon the leased premises.

The Rose Tennis Lease Agreement was missing the Compliance clause.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

There is not a fiscal impact.

STAFF RECOMMENDATION

Staff recommends approval of the Rose Tennis Center Management Agreement Amendment.

BOARD OR COMMISSION RECOMMENDATION

Parks and Recreation Board approved the Rose Tennis Center Management Amendment at the September 19, 2023 meeting.

ATTACHMENTS:

1. Tennis Center Facility Management Agreement - Amendment Resolution
2. Rose Tennis Amendment 923
3. Presentation - Rose Tennis Center Management Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO APPROVE A 2023 AMENDMENT TO THE
ROSE TENNIS CENTER FACILITY MANAGEMENT AGREEMENT.**

WHEREAS, the City of Abilene is the owner of the Municipal Tennis Center at Rose Park; and

WHEREAS, the City entered into the Rose Tennis Center Facility Management Agreement (“Agreement”) with Chris Redman as the Contractor for management and operational services of the Municipal Tennis Center at Rose Park on November 4, 2021; and

WHEREAS, the current Agreement does not reference compliance with Federal, State, and Local laws and regulations; and

WHEREAS, the City Council has determined that the 2023 Amendment to the Agreement with Chris Redman as the Contractor for management and operational services of the Municipal Tennis Center at Rose Park requiring compliance with all Federal, State, and Local laws and regulations will be in the best interest of the City and its residents.

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

Part 1: The City Council authorizes the City Manager to execute the 2023 Amendment to the Rose Tennis Center Facility Management Agreement.

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

ADOPTED this ____ day of _____, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

**ROSE TENNIS CENTER
FACILITY MANAGEMENT AGREEMENT**

AMENDMENT

This Amendment is effective the ____ day of September, 2023, by and between the City of Abilene, Texas and the Contractor for the management of the Municipal Tennis Center at Rose Park ("Contractor"). The City of Abilene and Contractor executed the Rose Tennis Center Facility Management Agreement on November 4, 2021 ("Agreement").

Be it known that the City of Abilene and Contractor agree to amend the Agreement as follows:

"VI. MISCELLANEOUS

J. COMPLIANCE WITH LAWS

Contractor shall observe and obey all Federal, State, and Local laws and regulations and shall further not permit the violations of such laws and regulations by persons upon the premises."

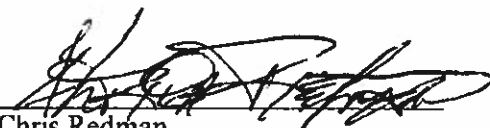
No other terms of the Agreement are amended hereby.

AGREED THIS ____ DAY OF _____, 2023.

CITY OF ABILENE, TEXAS

CONTRACTOR

BY: _____
Robert Hanna, City Manager

BY: 
Chris Redman

Rose Tennis Center Management Agreement Amendment

September 28, 2023

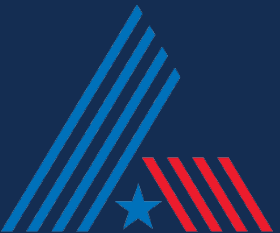


Amendment

Amendment to existing Agreement to add the following:

“Contractor shall observe and obey all Federal, State, and Local laws and regulations and shall further not permit the violations of such laws and regulations by persons upon the premises.”

No other terms of the Agreement are to be amended.





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Lesli Andrews, Director

SUBJECT: 12. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with the Veterans Land Board for the Management of the Texas State Veterans Cemetery at Abilene (*Lesli Andrews*)

GENERAL INFORMATION

The City of Abilene was requested by the Veterans Land Board to manage and operate the Texas State Veterans Cemetery at Abilene. The City of Abilene Parks and Recreation Department currently has experience managing and operating the City Municipal Cemetery.

The Veterans Land Board will fund the management and operation of the Texas State Veterans Cemetery at a cost of \$800,000. Incorporating the Texas State Veterans Cemetery will require a staffing increase in the Parks and Recreation Department of nine full time and one part time positions.

The City will manage the personnel and the day to day operations of the cemetery. The Veterans Land Board will retain the management and oversight of capital projects required at the cemetery.

The City of Abilene will begin management on October 1, 2023.

SPECIAL CONSIDERATIONS

The management and operation of the Texas State Veterans Cemetery will require an increase in staffing to the City of Abilene Parks and Recreation department by (9) nine full time and (1) part time staff.

FUNDING/FISCAL IMPACT

The Veteran Cemetery will be a division within the Parks And Recreation Department. The division will be set up as a special revenue fund and not part of the general revenue fund. The City will be reimbursed 100% of the \$800,000 budget.

STAFF RECOMMENDATION

Staff recommends authorizing the City Manager to enter into a contract with the Veterans Land Board for the management of the Texas State Veterans Cemetery at Abilene.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 9_28_23 Resolution Veterans Land Bank for Management of Texas State Veterans Abilene Cemetery
2. Presentation - Veterans Land Board and City Management of State Veterans Cemetery

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VETERANS LAND BOARD FOR THE MANAGEMENT AND OPERATION OF THE TEXAS STATE VETERANS CEMETERY AT ABILENE.

WHEREAS, the City of Abilene was requested by the Veterans Land Board to manage and operate the Texas State Veterans Cemetery at Abilene; and

WHEREAS, the City of Abilene Parks and Recreation Department currently manages and operates the City Municipal Cemetery; and

WHEREAS, the management and operation of the Texas State Veterans Cemetery at Abilene will increase the staffing of the Parks and Recreation department by (9) nine full time and (1) one part time staff; and

WHEREAS, the Veterans Land Board will fund the management and operation of the State Cemetery at a cost of \$800,000; and

WHEREAS, The City of Abilene will begin management on October 1, 2023;

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

Part 1: The City Manager is hereby authorized to enter into a contract with Veterans Land Board for management and operation of the Texas State Veterans Cemetery at Abilene, Texas at a cost of \$800,000.

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

ADOPTED this 28th day of September 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

Veterans Land Board to Contract with City for City Management of Texas State Veterans Cemetery of Abilene

September 28, 2023





General Information:

- Veterans Land Board requests the City to manage and operate the Texas State Veterans Cemetery at Abilene.
- Incorporating the Texas State Veterans Cemetery will require a staffing increase in the Parks and Recreation Department of nine full time and one part time positions.
- The Veterans Land Board will fund the management and operation of the Texas State Veterans Cemetery at a cost of \$800,000. The budget will be a Special Revenue Fund.
- The City of Abilene will begin management on October 1, 2023.





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Don Green, Director

SUBJECT: 13. Resolution: Receive a Report, Hold a Discussion, and Take Action to approve Task Order 1 with Parkhill for the Airport Terminal Improvements and Expansion Design (Don Green)

GENERAL INFORMATION

On July 27, 2023, Council awarded a contract with Parkhill for Airport Architectural Services. Task Order 1 under this contract is now ready for consideration and approval. This task order is for the design and bid evaluations of expansion of and improvements to the Airport Terminal Building. The task order includes designing the expansion of the Passenger Gate Area/Holdroom and relocation and expansion of the Passenger Security Screening Checkpoint. Additionally, various improvements and updates will be included in the design.

In accordance with FAA requirements, Parkhill's original fee proposal was reviewed (referred to as an Independent Fee Estimate) by another architect firm to determine if the fee was in line with the market norm. The IFE noted some higher costs, so Airport Staff negotiated with Parkhill to reduce the fee to \$2,553,699.65.

This task order will be funded by the airport's FY23 FAA AIP and AIG grants and the City's 10% match, which total \$2,535,105.00. This leaves a balance of \$18,594.65, which will be funded by remaining 2015 General Obligation Bond Proposition 9 funds.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funded by FAA FY 23 AIP Grant - \$1,118,323.00; FAA FY23 AIG - \$1,163,271.00. These grants require a 10% City match.

City of Abilene's 10% Match of \$253,511.00 and the \$18,594.65 come from the 2015 GO Bond funds.

STAFF RECOMMENDATION

Staff believes this scope and fee are acceptable and recommends approval of this task order.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation to Council at its September 13, 2023 meeting.

ATTACHMENTS:

1. Parkhill Task Order 1 Resolution 9-28-23
2. Parkhill Task Order 1 Award Presentation (9-28-23)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER 1 WITH PARKHILL**

WHEREAS, The City of Abilene (City) owns and operates Abilene Regional Airport; and

WHEREAS, the City of Abilene has a contract with Parkhill for Airport Architectural Services;
and

WHEREAS, Abilene Regional Airport staff directed Parkhill to propose Task Order 1 for the
design of expansion and improvements to the Airport Terminal Building; and

WHEREAS, Task Order 1 will be funded by FY23 FAA Airport Improvement Program and
Airport Infrastructure Grants, and City matching funds of ten (10%) percent; and

WHEREAS, the Airport Development Board affirmed staff's recommendation and approved its
recommendation September 13, 2023; and

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

That the City Manager is authorized to execute Task Order 1 with Parkhill in the amount of
\$2,553,699.65.

ADOPTED this 28th day of September 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

City Council Meeting

9/28/2023





Airport Architectural Service Contract Award

- The City of Abilene has a contract with Parkhill for Airport Architectural Services.
- Abilene Regional Airport staff directed Parkhill to propose Task Order 1 for the design of expansion and improvements to the Airport Terminal Building. Negotiations resulted in a cost of \$2,553,699.65.
- Task Order 1 will be funded by FY23 FAA Airport Improvement Program and Airport Infrastructure Grants, and City matching funds of ten (10%) percent.







**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Don Green, Director

SUBJECT: 14. Resolution: Receive a Report, Hold a Discussion, and Take Action to award the Airside Engineering Services Contract to Garver (Don Green)

GENERAL INFORMATION

The City of Abilene conducted a Request for Qualifications (CB-2359) for Airside Engineering Services at Abilene Regional Airport. Airport Staff was pleased that three firms with solid airport reputations submitted Statements of Qualifications. Airport Staff selected Garver as the firm for this new five-year contract. Garver has served the airport well under a similar contract since 2013 and has designed and overseen major airside engineering projects. Staff believes Garver has the resources and experience to continue to perform similar roles in upcoming projects.

This contract does not have a cost, but will allow task orders to be issued for specific projects. Such task orders are anticipated to be in such amounts that will need future Council approval.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends awarding the contract with Garver.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation to Council at its September 13, 2023 meeting.

ATTACHMENTS:

1. Garver Contract Resolution 9-28-23
2. Garver Contract Award Presentation (9-28-23)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AWARDED A CONTRACT TO GARVER FOR AIRSIDE ENGINEERING SERVICES FOR ABILENE REGIONAL AIRPORT.

WHEREAS, the City of Abilene (City) owns and operates Abilene Regional Airport; and

WHEREAS, the Airport has need for design and construction management of certain planned Airport Improvement Program projects and other types of projects needing professional engineering services; and

WHEREAS, the City conducted a Request for Qualifications for Airside Engineering Services (CB-2359); and

WHEREAS, Garver was a qualified responding firm and was selected to be awarded the contract for Airside Engineering Services; and

WHEREAS, the Airport Development Board approved its recommendation at its September 13, 2023 meeting.

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

1. That the City Manager is authorized to enter into a five-year contract for Airside Engineering Services with Garver.
2. That task orders for specific projects will be issued under such contract and will be presented to Council, as appropriate.
3. That this resolution takes effect immediately upon Council approval.

ADOPTED this 28th day of September 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

City Council Meeting

9/28/2023





Airport Airside Engineering Services Contract Award

- The City conducted a Request for Qualifications for Airside Engineering Services (CB-2359).
- Garver was a qualified responding firm and was selected to be awarded the contract for Airside Engineering Services.
- The Airport Development Board approved its recommendation at its September 13, 2023 meeting.







**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Michael Rice, Assistant City Manager

SUBJECT: 15. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Ground Lease with Abilene Independent School District (Michael Rice)

GENERAL INFORMATION

The City of Abilene has determined that additional Public Parking is needed in the Downtown area. In response, the City has negotiated with Abilene Independent School District for the lease of Lots 1, 2, and 3, in Block 5, Original Town of Abilene, and commonly known as SWC N. 2nd and Mesquite with the purpose of creating improved Public Parking. Abilene Independent School District has reviewed the attached Ground Lease and agrees to a 40-year lease of SWC N. 2nd and Mesquite for Public Parking. The City of Abilene has agreed to improvements to the lease property within two years of the execution of the Lease Agreement, and these improvements include a surface parking lot, parking lot lighting, and signage. The City of Abilene further agrees to maintain the improvements and to pay for all utilities used in the leased premises.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The improvements to the leased property will be paid out of the operating funds within the appropriate city division budgets.

STAFF RECOMMENDATION

Approval

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. RESOLUTION.Ground Lease with AISD
2. Ground Lease Agreement - City of Abilene and AISD 09.11.23
3. Presentation.Ground Lease Agreement.AISD

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO EXECUTE A GROUND LEASE
AGREEMENT WITH ABILENE INDEPENDENT SCHOOLDISTRICT FOR A PUBLIC
PARKING LOT.**

WHEREAS, the City has determined that additional Public Parking is needed in the Downtown area; and

WHEREAS, the City has negotiated with Abilene Independent School District for the lease of Lots 1, 2, and 3, in Block 5, Original Town of Abilene, and commonly known as SWC N. 2nd and Mesquite; and

WHEREAS, Abilene Independent School District has reviewed and agrees to a 40-year lease of SWC N. 2nd and Mesquite for Public Parking; and

WHEREAS, the City of Abilene has agreed to improvements to the lease property within two years of the execution of the Lease Agreement.

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

Part 1: The City Manager is authorized to execute a Ground Lease Agreement with Abilene Independent School District.

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

ADOPTED this 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon McClure, Mayor

APPROVED:

Stanley Smith, City Attorney

**GROUND LEASE AGREEMENT
BY AND BETWEEN THE ABILENE INDEPENDENT SCHOOL DISTRICT
AND THE CITY OF ABILENE, TEXAS**

This LEASE AGREEMENT, made this ____ day of _____, 2023, is by and between the Abilene Independent School District, (hereinafter referred to as "Lessor"), and the City of Abilene, Texas, (hereinafter referred to as "Lessee").

WITNESSETH:

That for and in consideration of the covenants, promises, and agreements herein set forth, it is mutually agreed as follows:

ARTICLE I

PREMISES, PURPOSE, AND RESTRICTIONS

A. DESCRIPTION OF PREMISES LEASED

Lessor hereby leases and demises unto the Lessee the following described property, to-wit: Lots 1, 2, and 3, in Block 5, Original Town of Abilene, Taylor County, Texas, and commonly known as SWC N. 2nd and Mesquite, Abilene, Texas 79601.

B. PURPOSE OF LEASE AND RESTRICTIONS

The premises herein leased shall be used for a public parking lot.

C. IMPROVEMENTS

Within two years from the execution of this Lease Agreement, Lessee shall construct the following improvements to the Premises:

- (1) Surface parking lot consistent with the development requirements of the City of Abilene, Texas; and
- (2) Parking lot lighting consistent with standard engineering practices; and
- (3) Sufficient signage to notify the public of available public parking.

Once constructed, all improvements upon the leased premises shall be the property of the Lessor and the use of the improvements by the Lessee are implicitly authorized by virtue of this Lease Agreement.

**ARTICLE II
OBLIGATIONS OF LESSEE**

A. MAINTENANCE OBLIGATIONS

Lessee shall, at its sole cost and expense, and throughout the term of this Lease, and except as provided below, maintain the lease premises, maintain the grounds, improvements and the appurtenances thereto in good condition and repair and in a safe and presentable condition. Lessee shall repair any damages to the lease premises.

B. UTILITIES

Lessee hereby covenants to be responsible for and to pay for all utilities used in the leased premises and to be responsible for their proper care.

C. INDEMNITY

It is agreed for all purposes hereunder, Lessee shall not, with respect to its acts or omissions, be deemed an agent or employee of the Lessor.

To the fullest extent allowed by law, Lessee agrees to indemnify, hold harmless and defend Lessor, its officers, agents and employees, from and against all liability for all claims, liens, suits, demands, and/or actions for damages, injuries to persons (including court costs and attorneys' fees and other reasonable costs) occasioned by the Lessee's occupancy or use of the leased premises and/or activities conducted in connection with or incidental to this Agreement and arising out of or resulting from the intentional acts or negligence, including all such causes of action based upon common, constitutional, or statutory law, or based in whole or in part upon the negligent or intentional acts or omissions of Lessee, including but not limited to its officers, agents, employees, licensees, invitees, and other persons.

Lessee further agrees that it shall at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of its officers, agents, employees, customers, visitors, licensees, invitees and other persons, as well as their property, while in or on the leased premises. It is expressly understood and agreed that Lessor shall not be liable or responsible for the negligence of Lessee, including but not limited to its officers, agents, servants, employees, customers, visitors, licensees, invitees and other persons.

Further, Lessor 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 Lessee.

It is further agreed with respect to the above indemnity, that Lessor and Lessee will provide the other prompt and timely notice of any event which in any way, directly

or indirectly, contingently or otherwise, affects or might affect the Lessee or Lessor, and Lessor shall have the right to compromise and defend the same to the extent of its own interests.

It is the expressed intention of the parties hereto, both Lessor and Lessee, that the indemnity provided for in this agreement is indemnity by Lessee to indemnify and protect the Lessor from the consequences of the Lessor's own negligence while Lessor is participating in this agreement/contract where that negligence is a concurring cause of the injury, death, or damage. Furthermore, the indemnity provided for in this agreement shall have no application to any claim, loss, damage, cause of action, suit, and liability where the injury, death or damage results from the sole negligence of the Lessor, unmixed with the fault of any other person or entity.

D. COMPLIANCE WITH LAWS

Lessee shall observe and obey all federal, state, and local laws and regulations and shall further not permit the violations of such laws by persons upon the said premises.

**ARTICLE III
ASSIGNMENT AND TERMINATION**

A. ASSIGNMENT, TRANSFER

The Lessee shall not assign or transfer this Agreement or any interest therein nor sublet the said premises or any part thereof without the prior written consent of the Lessor.

B. TERMINATION

Upon the violation of any terms or conditions of the Memorandum of Agreement or this Lease Agreement which shall continue for sixty (60) successive days following notice of said violation from Lessor to Lessee and opportunity to cure, the Lessor may declare this Lease forfeited at its discretion without further notice and its agents or attorney shall have the power to enter and hold, occupy and repossess the entire premises hereinbefore described, as before the execution of this Agreement.

**ARTICLE IV
GENERAL PROVISIONS**

A. TERM OF LEASE

The term of this lease shall be forty (40) years, beginning _____, 2023 and ending at midnight _____, 2063. Thereafter, the parties agree to negotiate in good faith an

extension of such term as may then be appropriate under the circumstances.

B. AGENT

The agent for Lessor shall be Abilene ISD Superintendent. The agent for Lessee shall be the City of Abilene Land Agent or such other person as Lessee may designate in a written notice to Lessor.

C. LEASE RATE

Lessee agrees to pay to Lessor the sum of One Dollars (\$1.00) and no cents annually and other good and valuable consideration for this Lease. Additionally, Lessee's construction of improvements to the premises, as provided in Article I, Section C, above, shall satisfy in full any lease payments due to Lessor herein.

D. NOTICE

All notices required to be given hereunder shall be in writing, mailed by Certified Mail Return Receipt Requested, and addressed as follows:

To Lessor:

To Lessee:

Attn: Abilene ISD, Superintendent
241 Pine St.
Abilene, TX 79601

Attn: Land Agent, City of Abilene
555 Walnut
Abilene, TX 79604

E. AMENDMENT

This Agreement may not be amended except in writing, executed by the parties hereto.

F. VENUE AND GOVERNING LAW

This Agreement shall be construed and governed in accordance with the law of the State of Texas. If any legal action is filed pursuant to this Agreement such action must be filed in a court of competent jurisdiction in Taylor County, Texas.

Executed this _____ day of _____, 2023.

LESSOR:

ABILENE INDEPENDENT SCHOOL
DISTRICT

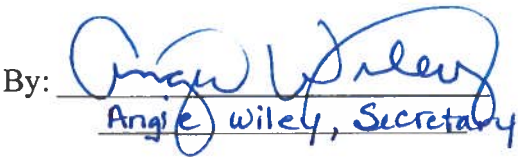
By: 
Daryl Zeller, President

LESSEE:

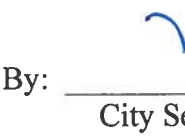
CITY OF ABILENE, TEXAS

By: _____
Robert Hanna, City Manager

ATTEST:

By: 
Angie Wiley, Secretary

ATTEST:

By: 
City Secretary

Ground Lease Agreement with Abilene Independent School District





Ground Lease Agreement with Abilene Independent School District

- There is a need for additional downtown parking
- The City and AISD have discussed and agreed to a ground lease of Lots 1, 2, and 3, in Block 5, Original Town of Abilene, and commonly known as SWC N. 2nd and Mesquite for Public Parking
- The City of Abilene will construct Public Improvements to the leased property within 2 years of the execution of the Ground Lease
- The Term of the Ground Lease shall be 40 years





Ground Lease Agreement with Abilene Independent School District



CITY OF
ABILENE
TEXAS



Ground Lease Agreement with Abilene Independent School District

Questions





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 16. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City of Abilene to install four-way stop signs at the intersection of Westchester Dr. and Bruce Dr. (*Max Johnson*)

GENERAL INFORMATION

The City of Abilene received a request from a citizen to provide additional stop signs at the intersection of Westchester Dr. and Bruce Dr. In response to this request, the City of Abilene Engineering Division evaluated the current traffic conditions at the intersection. The evaluation revealed current traffic conditions do not meet the Texas Manual on Uniform Traffic Control Devices requirements for the installation of additional traffic control devices.

The City of Abilene has a very clearly defined process for the installation of all traffic control devices. The City of Abilene Code of Ordinances, Section 18-67 states, "All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the state highway and public transportation commission or resolution adopted by the City Council."

SPECIAL CONSIDERATIONS

Public Works has worked to prepare and present a resolution for consideration and possible action which authorized the City of Abilene to install a Four-Way Stop at the Westchester Dr. and Bruce Dr. intersection.

FUNDING/FISCAL IMPACT

The installation of additional stop signs and poles at the Westchester Dr. and Bruce Dr. intersection will cost approximately \$260 and have a minimum effect upon the Traffic Services' existing maintenance budget.

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Westchester and Bruce 4 way stop signs Resolution
2. PROJECT LOCATION MAP
3. Four way stop sign installation 9-28-2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE CITY OF ABILENE TO INSTALL FOUR-WAY STOP SIGNS AT THE
INTERSECTION OF WESTCHESTER DR. AND BRUCE DR.**

WHEREAS, residents in the Countryside South subdivision have expressed the desire to have four-way stop signs installed at the intersection of Westchester Dr. and Bruce Dr.; and

WHEREAS, Abilene City Ordinance Section 18-67 requires traffic control devices to conform to the manual and specifications approved by the state or conform to City Council resolution; and,

WHEREAS, the City of Abilene performed a traffic analysis to determine if the installation of stop signs would be warranted; and,

WHEREAS, it was determined that the installation of stop signs for the purpose of speed control on Westchester Dr. would not conform with the state specifications; and,

WHEREAS, there is no other alternate method for the Countryside South subdivision residents to accomplish the installation of four-way stop signs at this location other than by City Council approval; and,

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

PART 1: The City of Abilene formally resolves that four-way stop signs should be installed at the intersection of Westchester Dr. and Bruce Dr.

PART 2: The City Manager or designee is authorized to install four-way stop signs in accordance with this resolution.

ADOPTED this 28th day of September, 2023.

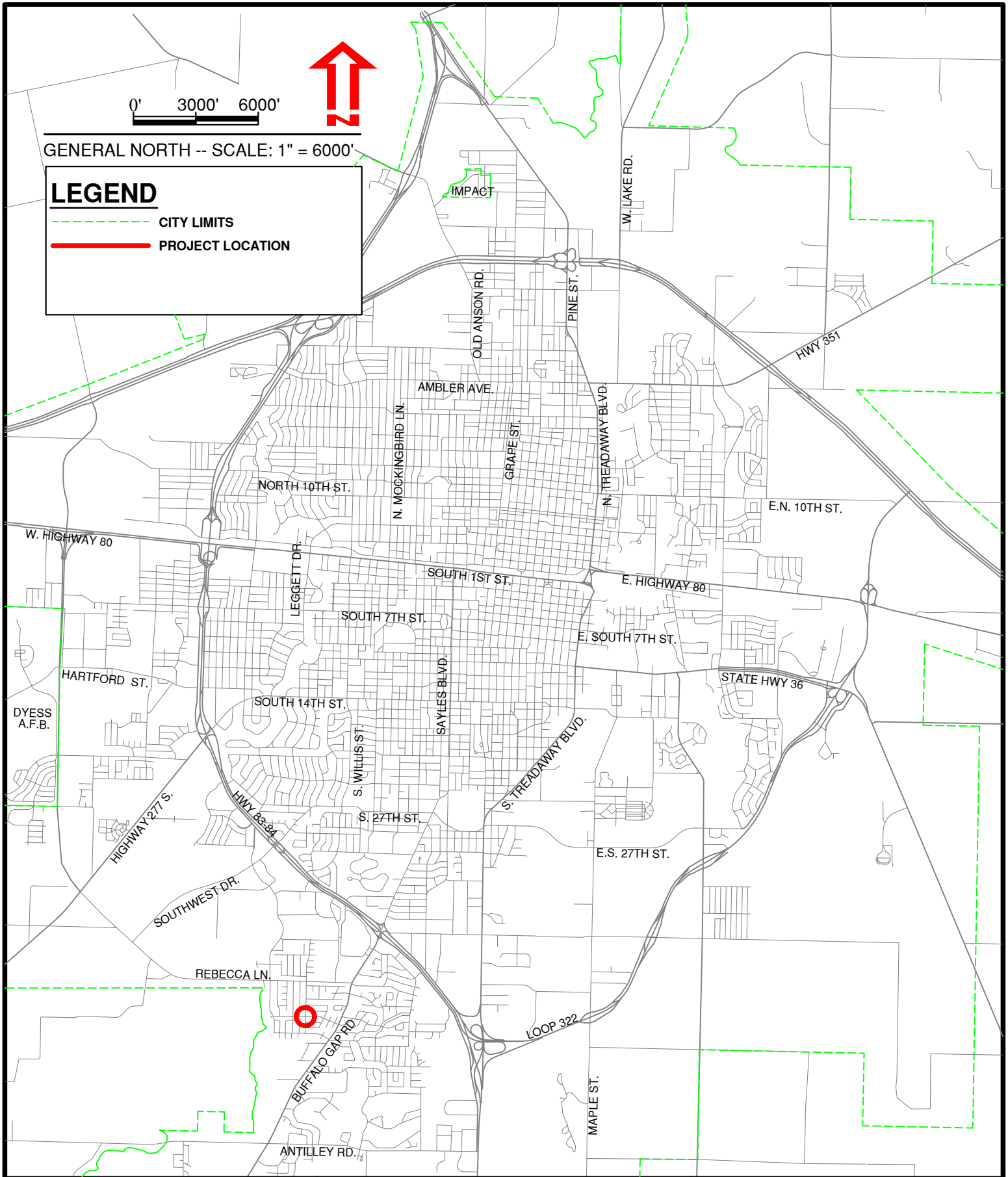
ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



Sheet 1 of 1	CITY OF ABILENE, TEXAS PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION	BRUCE DR. & WESTCHESTER DR. FOUR WAY STOP	Designed By: S. CHANDLER Drawn By: M. MILLER Checked By: S. CHANDLER	Horizontal Scale: 1"=6000' Vertical Scale: N.T.S.	Computer File Name: Project Location Map Date: JANUARY 2023
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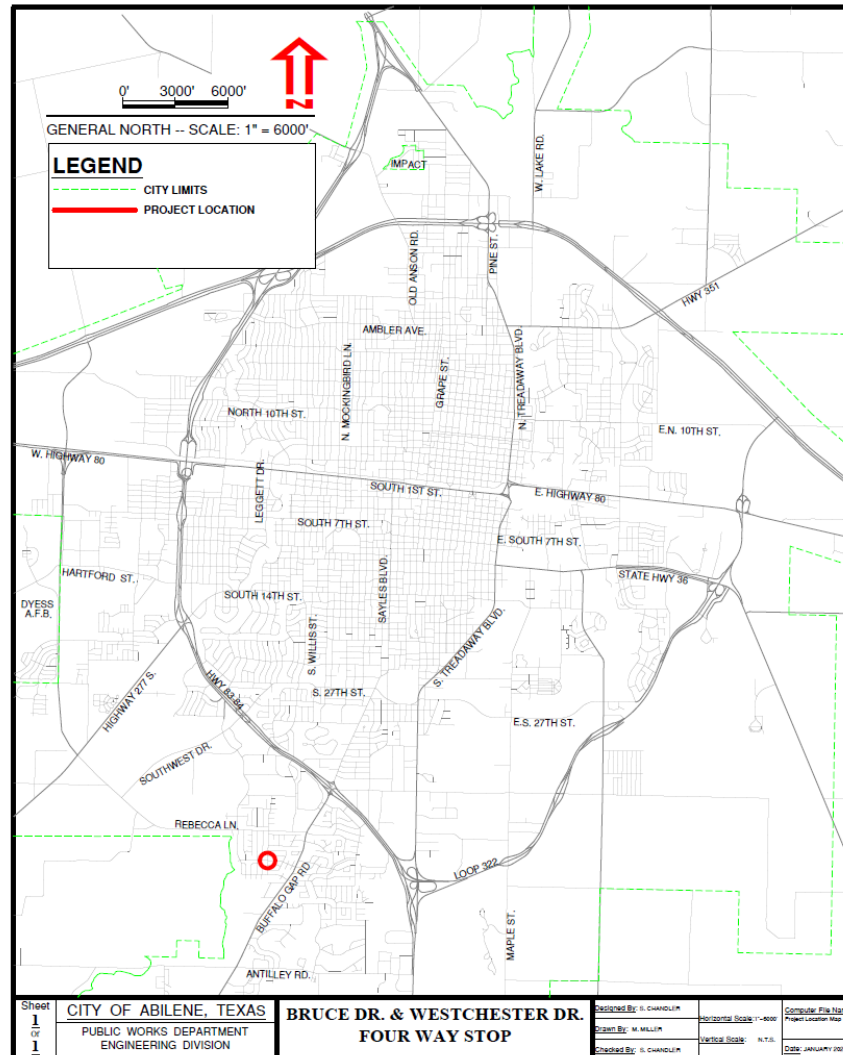
Agenda Item:
**Four-Way Stop Sign installation at
the intersection of Westchester Dr.
and Bruce Dr.**

(Max Johnson)





Authorize Installation of Four-Way Stop Signs at the Intersection of Westchester Dr. and Bruce Dr.



- Location of intersection:
Westchester Dr. and Bruce Dr.





Authorize Installation of Four-Way Stop Signs at the Intersection of Westchester Dr. and Bruce Dr.

- The City of Abilene received a request from a Citizen to provide additional stop signs at the intersection of Westchester Dr. and Bruce Dr.
- The current conditions at the intersection are that Bruce Dr. (North/South roadway) has stop signs while Westchester Dr. (East/West roadway) does not stop or yield at the intersection.
- The City of Abilene Public Works Department completed a traffic analysis per the guidelines in the Texas MUTCD (Manual on Uniform Traffic Control Devices) and found that the intersection does not meet the guidelines for four-way stop signs at this time.





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Max Johnson, Director of Public Works

SUBJECT: 17. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Annual Street Services Division Materials Bid #CB-2367 (Max Johnson)

GENERAL INFORMATION

The City of Abilene Street Services Division is requesting the City Council award bids, by resolution, for materials used in the maintenance and rehabilitation of the street and alley system. Notices were published in the Abilene Reporter News on August 13, 2023 and August 20, 2023, and bids were opened on September 1, 2023. The following table lists the individual materials bids, staff recommended bidder and unit price bid. Items #11, #12, and #13 will be awarded at a later date.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding for the materials is available in the 2023/2024 general operating budget for Street Maintenance Fund

STAFF RECOMMENDATION

It is recommended that the City Council award, by resolution, the bulk materials supply contracts 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. 2023 Resolution CB-2367
2. CB -2367 Bid Tabsheet-Street Maint Materials
3. PP_Resolution Award of Bid CB-2367 -9-21-2023

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED THE BULK MATERIALS SUPPLY CONTRACTS TO VARIOUS VENDORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE PURCHASES

WHEREAS, the City of Abilene Street Services Division is requesting the City Council award bids, for materials used in the maintenance of street and alley system; and

WHEREAS, the City of Abilene duly advertised and gave such noticed, as required by law, and bids opened on September 1, 2023; and

WHEREAS, the following table lists the individual materials bid, and the staff recommended bidder and unit price bid:

Limestone Rock Asphalt Type CC	Vulcan Const. Materials	\$ 128.18/Per Ton
Hot Mix Type D – Delivered	Vulcan Const. Materials	\$ 94.36/Per Ton
Hot Mix Type D – Picked Up	Vulcan Const. Materials	\$ 84.40/Per Ton
Hot Mix Type B – Delivered	Vulcan Const. Materials	\$ 93.36/Per Ton
Hot Mix Type B – Picked Up	Vulcan Const. Materials	\$ 83.40/Per Ton
A-1 Flexible Base – Delivered	J. H. Strain & Sons Inc.	\$ 16.25/Per Ton
A-1 Flexible Base – Picked Up	J. H. Strain & Sons Inc.	\$ 8.00/Per Ton
Type A, Grade 6 Rock – Delivered	Vulcan Const. Materials	\$ 31.88/Per Ton
Type A, Grade 6 Rock – Picked Up	Vulcan Const. Materials	\$ 16.50/Per Ton
Portland Cement Type 1	Abilene Lumber BMC	\$ 14.97/Per Sack
Class A Portland Cement, 5 Sack		(Bid at later date)
Class P Portland Concrete		(Bid at later date)
Flowable Fill Concrete		(Bid at later date)
Polymer Modified Crack Sealant	Crafco Inc.	\$.63/ Per Pound
HPPM	Unique Paving Materials	\$ 153.52/Per Ton
CBS-1	Southwest Envirotx	\$ 4.75/Per Gal

WHEREAS, staff recommends an alternate supply contract with J.H. Strain & Sons Inc. for the purchase of Hot Mix Type D – Delivered at the price of \$95.35 per ton when the primary is not able to provide the same material within two days of notice.

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

PART 1: That the City Council award the supply contracts as listed in the table above plus delivery cost for Limestone Rock Asphalt Type CC, including the alternate contract, recommended by the Street Service's Staff and to authorize the City Manager 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 28th day of September, 2023.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

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

PAGE
1 OF 1

DEPARTMENT: STREETS
BID NO.: CB-2367
TIME OF OPENING: 2:00 P.M.
DATE OF OPENING: SEPTEMBER 1, 2023

J.H. STRAIN & SONS, INC.
TYE, TX

VULCAN MATERIALS CO.
ABILENE, TX

BFS/ABILENE LUMBER
ABILENE, TX

CRAFCO, INC.
CHANDLER, AZ

UNIQUE PAVING
MATERIALS CORP.
CLEVELAND, OH

SOUTHWEST ENVIROTX
PARTNERS LLC
AUSTIN, TX

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			128.18									
2.	HOT MIX, TYPE D – DELIVERED	600	TON	95.35		94.36									
3.	HOT MIX, TYPE D – PICKED UP	1,200	TON	87.37		84.40									
4.	HOT MIX, TYPE B – DELIVERED	300	TON	94.35		93.36									
5.	HOT MIX, TYPE B – PICKED UP	200	TON	86.37		83.40									
6.	A-1 FLEX BASE - DELIVERED	16,000	TON	16.25		16.35									
7.	A-1 FLEX BASE – PICKED UP	500	TON	8.00		8.20									
8.	TYPE A GRADE 6 ROCK - DELIVERED	400	TON			31.88									
9.	TYPE A GRADE 6 ROCK – PICKED UP	100	TON			16.50									
10.	PORTLAND CEMENT, TYPE I	500	SACK					14.97							
11.	CLASS A PORTLAND CEMENT, 5-SACK	200	C.Y.												
12.	CLASS P CONCRETE	100	YD												
13.	FLOWABLE FILL CONCRETE	30	YD												
14.	POLYMER MODIFIED CRACK SEALANT	110,000	LBS							.63					
15.	HPPM	400	TONS	160.00								153.52			
16.	CBS-1	5,000	GAL											4.75	
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

Resolution Award of Bid Annual Street Services Division Materials Bid #CB-2367

(Max Johnson)





Contracted Material Costs

- City of Abilene requests approval of material bids for the maintenance and rehabilitation of streets and alleys for the 2023-2024 time period
- Notices published in local newspaper on August 13 and August 20, 2023. Bids opened on September 1, 2023
- Three (3) materials (Class A Portland Cement, 5-sack; Class P Concrete; and Flowable Fill Concrete) did not receive bids and will be re-bid in the future





Contracted Material Costs – Item by Item (page 1 of 3)

<u>Item</u>	<u>Company</u>	<u>Unit Price</u>
Limestone Rock Asphalt, Type CC	Vulcan Const. Materials	\$128.18/Per Ton
Hot Mix Type D-Delivered	Vulcan Const. Materials	\$94.36/Per Ton
Hot Mix Type D-Delivered (Alternate)	J.H. Strain & Sons Inc.	\$95.35/Per Ton
Hot Mix Type D-Picked Up	Vulcan Const. Materials	\$84.40/ Per Ton
Hot Mix Type B-Delivered	Vulcan Const. Materials	\$93.36/ Per Ton
Hot Mix Type B-Picked Up	Vulcan Const. Materials	\$83.40/ Per Ton
A-1 Flex Base-Delivered	J.H. Strain & Sons Inc.	\$16.25/ Per Ton
A-1 Flex Base-Picked Up	J.H. Strain & Sons Inc.	\$8.00/ Per Ton

Note: Alternate – This contract will be used when Vulcan Const. Materials is unable to provide Hot Mix Type D - Delivered, within 2 days of notice from the City





Contracted Material Costs – Item by Item (page 2 of 3)

Item	Company	Unit Price
Type A, Grade 6 Rock-Delivered	Vulcan Const. Materials	\$31.88/ Per Ton
Type A, Grade 6 Rock-Pick Up	Vulcan Const. Materials	\$16.50/ Per Ton
Portland Cement Type I	Abilene Lumber BMC	\$14.97/Per Sack
Class A Portland Cement, 5 Sack	(Bid at a later date)	
Class P Concrete	(Bid at a later date)	
Flowable Fill Concrete	(Bid at a later date)	





Contracted Material Costs – Item by Item (page 3 of 3)

<u>Item</u>	<u>Company</u>	<u>Unit Price</u>
Polymer Modified Crack Sealant	Crafco Inc.	\$.63/ Per Pound
HPPM	Unique Paving Materials	\$153.52/ Per Ton
CBS-1	SouthWest Envirotx	\$ 4.75/ Per Gal





Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Robert Hanna, City Manager

FROM: Mindy Patterson, Deputy City Manager

SUBJECT: 18. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Rebate Agreement with the Abilene Convention Center Hotel Development Corporation (Mindy Patterson)

GENERAL INFORMATION

The Abilene Convention Center Hotel Development Corporation (the “Corporation”) is a nonprofit local government corporation created by the City of Abilene, Texas (the “City”) for the purpose of developing and financing a convention center hotel in the City. The City and the Corporation have collaborated to plan, develop and finance the Abilene Convention Center Hotel Project (the “Project”) and to qualify the project as a “qualified project” eligible to receive certain revenues available under Chapter 351 of the Texas Tax Code (the “Chapter 351”).

On October 4, 2019, the Texas Comptroller of Public Accounts (the “Comptroller”) issued Private Letter Ruling No. PLR20190311135245 (the “2019 PLR”) providing, among other things, that (i) the City qualifies as a city described in Section 351.152(12); (ii) the Hotel (as such term is defined in the 2019 PLR) meets the requirements of a “qualified hotel”; (iii) the City Facilities (as such term is defined in the 2019 PLR) meet the requirements of a “qualified convention center facility” for purposes of Chapter 351; (iv) the Project meets the requirements of a “qualified project” for purposes of Chapter 351; (v) the City’s proposed issuance of the certificates of obligation for the City Facilities meets the requirements of Section 351.155(a); and (vi) the City’s pledge of local hotel occupancy taxes generated at the Hotel to the certificates of obligation (the “Local HOT Pledge”) meets the requirements of Section 351.155(b) and 351.155(e).

On September 23, 2021 the Corporation issued its First-Lien Hotel Revenue Bonds, Series 2021A and its Second-Lien Hotel Revenue Bonds, Series 2021B in compliance with the 2019 PLR to fund the Hotel component of the Project, and on September 23, 2021 the City issued its Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021B, which

were secured by the Local HOT Pledge in satisfaction of the requirement of Section 351.155 and in compliance with the 2019 PLR to fund the City Facilities component of the Project.

As a result of the foregoing, the City is entitled to receive revenues under Chapter 351 for a period of 10 years after the date the Project is open for initial occupancy, and the Project was open for initial occupancy on July 11, 2023.

The City intends to enter into the rebate agreement attached hereto as Exhibit A (the “Agreement”) for the purpose of securing the revenues of the Project authorized and available to be received from the Comptroller under Chapter 351.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

The Abilene Convention Center Hotel Development Corporation Board approved the Agreement at its September 19, 2023 meeting.

ATTACHMENTS:

1. 2023 Resolution Approving Rebate Agreement Hotel Corp.v1
2. Abilene Hotel-Rebate Agreement
3. Rebate Agreement Hotel Dev Corp

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE ABILENE CONVENTION CENTER HOTEL PROJECT REBATE AGREEMENT BETWEEN THE CITY OF ABILENE, TEXAS AND THE ABILENE CONVENTION CENTER HOTEL DEVELOPMENT CORPORATION

WHEREAS, Abilene Convention Center Hotel Development Corporation (the “Corporation”) is a nonprofit local government corporation created by the City of Abilene, Texas (the “City”) for the purpose of developing and financing a convention center hotel in the City; and

WHEREAS, the City and the Corporation have collaborated to plan, develop and finance the Abilene Convention Center Hotel Project (the “Project”) and to qualify the project as a “qualified project” eligible to receive certain revenues available under Chapter 351 of the Texas Tax Code (the “Chapter 351”); and

WHEREAS, on October 4, 2019, the Texas Comptroller of Public Accounts (the “Comptroller”) issued Private Letter Ruling No. PLR20190311135245 (the “2019 PLR”) providing, among other things, that (i) the City qualifies as a city described in Section 351.152(12); (ii) the Hotel (as such term is defined in the 2019 PLR) meets the requirements of a “qualified hotel”; (iii) the City Facilities (as such term is defined in the 2019 PLR) meet the requirements of a “qualified convention center facility” for purposes of Chapter 351; (iv) the Project meets the requirements of a “qualified project” for purposes of Chapter 351; (v) the City’s proposed issuance of the certificates of obligation for the City Facilities meets the requirements of Section 351.155(a); and (vi) the City’s pledge of local hotel occupancy taxes generated at the Hotel to the certificates of obligation (the “Local HOT Pledge”) meets the requirements of Section 351.155(b) and 351.155(e); and

WHEREAS, on September 23, 2021 the Corporation issued its First-Lien Hotel Revenue Bonds, Series 2021A and its Second-Lien Hotel Revenue Bonds, Series 2021B in compliance with the 2019 PLR to fund the Hotel component of the Project; and

WHEREAS, on September 23, 2021 the City issued its Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021B, which were secured by the Local HOT Pledge in satisfaction of the requirement of Section 351.155 and in compliance with the 2019 PLR to fund the City Facilities component of the Project; and

WHEREAS, as a result of the foregoing, the City is entitled to receive revenues under Chapter 351 for a period of 10 years after the date the Project is open for initial occupancy; and

WHEREAS, the Project was open for initial occupancy on July 11, 2023; and

WHEREAS, as a result of the foregoing, the City intends to enter into the rebate agreement attached hereto as Exhibit A (the “Agreement”) for the purpose of securing the revenues of the Project authorized and available to be received from the Comptroller under Chapter 351.

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

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

Section 2. The City hereby approves the Agreement. For and on behalf of the City, the Mayor or City Manager is hereby authorized and directed to sign, deliver, and otherwise execute, the Agreement in substantially the form and substance attached to this Resolution and made a part hereof for all purposes.

Section 3. The Agreement shall become effective and enforceable in accordance with their terms immediately upon execution and delivery thereof for all intents and purposes.

Section 4. Each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the meeting at which this Resolution was introduced, and that this Resolution would be introduced and considered for passage at this meeting, and each of said officers and members consented, in advance, to the holding of this meeting for such purpose, and that this meeting was open to the public and public notice of the time, place and purpose of this meeting was given, all as required by the Texas Government Code, Chapter 551.

[Execution Page Follows.]

APPROVED AND ADOPTED _____.

ATTEST:

City Secretary

Mayor

APPROVED:

City Attorney

[CITY SEAL]

Exhibit A

ABILENE CONVENTION CENTER HOTEL PROJECT
REBATE AGREEMENT

ABILENE CONVENTION CENTER HOTEL PROJECT
REBATE AGREEMENT
BETWEEN THE
ABILENE CONVENTION CENTER HOTEL DEVELOPMENT CORPORATION
AND
THE CITY OF ABILENE, TEXAS

This Rebate Agreement ("Agreement"), as authorized by Chapter 351, Texas Tax Code, as amended ("Chapter 351"), is entered into by and between the City of Abilene, Texas ("City") and the Abilene Convention Center Hotel Development Corporation ("Corporation") (collectively, the "Parties"), acting by and through their authorized representatives, to set forth the Parties' agreement concerning the transfer of available funds authorized under Chapter 351 in connection with the Abilene Convention Center Hotel Project (the "Project").

RECITALS

WHEREAS, the City and the Corporation have collaborated to plan, develop and finance the Project and to qualify the Project as a "qualified project" eligible to receive certain revenues available under Chapter 351; and

WHEREAS, on October 4, 2019, the Texas Comptroller of Public Accounts (the "Comptroller") issued Private Letter Ruling No. PLR20190311135245 (the "2019 PLR") providing, among other things, that (i) the City qualifies as a city described in Section 351.152(12); (ii) the Hotel (as such term is defined in the 2019 PLR) meets the requirements of a "qualified hotel"; (iii) the City Facilities (as such term is defined in the 2019 PLR) meet the requirements of a "qualified convention center facility" for purposes of Chapter 351; (iv) the Project meets the requirements of a "qualified project" for purposes of Chapter 351; (v) the City's proposed issuance of the certificates of obligation for the City Facilities meets the requirements of Section 351.155(a); and (vi) the City's pledge of local hotel occupancy taxes generated at the Hotel to the certificates of obligation (the "Local HOT Pledge") meets the requirements of Section 351.155(b) and 351.155(e); and

WHEREAS in accordance with and as required for qualification under the 2019 PLR and Chapter 351, the Parties hereby confirm the convention center space within the City Facilities to be a "qualified convention center facility" that satisfies the requirements of Section 351.151(2); and

WHEREAS in accordance with and as required for qualification under the 2019 PLR and Chapter 351, the Corporation designated the Hotel as a "qualified hotel" that satisfies the requirements of Section 351.151(3) in a Resolution of the Corporation adopted on August 5, 2021 (the "Corporation Resolution"); and

WHEREAS in accordance with and as required for qualification under the 2019 PLR and Chapter 351, the Corporation adopted the Corporation Resolution designating the Project as a "qualified project" that satisfies the requirements of Section 351.151(4); and

WHEREAS in accordance with and as required for qualification under the 2019 PLR and Chapter 351, the Corporation adopted the Corporation Resolution which included findings that the Hotel is a component of the Project and that the Hotel benefits from the Local HOT Pledge; and

WHEREAS, on September 23, 2021 the Corporation issued its First-Lien Hotel Revenue Bonds, Series 2021A and its Second-Lien Hotel Revenue Bonds, Series 2021B in compliance with the 2019 PLR to fund the Hotel component of the Project; and

WHEREAS, on September 23, 2021 the City issued its Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021B, which were secured by the Local HOT Pledge in satisfaction of the requirement of Section 351.155 and in compliance with the 2019 PLR to fund the City Facilities component of the Project; and

WHEREAS, as a result of the foregoing, the City is entitled to receive revenues under Chapter 351 for a period of 10 years after the date the Project is open for initial occupancy; and

WHEREAS, the Project was open for initial occupancy on July 11, 2023.

NOW THEREFORE, IN CONSIDERATION OF THE ABOVE-REFERENCED CLAUSES, WHICH ARE INCORPORATED HEREIN, THE PARTIES AGREE AS FOLLOWS:

The City shall receive all revenue authorized to be received from the Comptroller in connection with the Project under Chapter 351.

[Execution Page Follows.]

ABILENE CONVENTION CENTER
HOTEL DEVELOPMENT CORPORATION

BY: Tom Richbald
President of the Board of Directors

CITY OF ABILENE, TEXAS

BY: Robert Hansen
City Manager

REBATE AGREEMENT WITH ABILENE CONVENTION CENTER HOTEL DEVELOPMENT CORPORATION





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: **19. Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Revising the FY 23-24 Budget Ordinance and to Increase Staffing for the Texas State Veterans Cemetery in Abilene *(Mindy Patterson)*

GENERAL INFORMATION

The City of Abilene was requested by the Veterans Land Board to manage and operate the Texas State Veterans Cemetery at Abilene. The City of Abilene Parks and Recreation Department currently has experience managing and operating the City Municipal Cemetery.

The Veterans Land Board will fund the management and operation of the Texas State Veterans Cemetery at a cost of \$800,000. Incorporating the Texas State Veterans Cemetery will require a staffing increase in the Parks and Recreation Department of nine full time and one part time positions.

The City of Abilene will begin management on October 1, 2023.

SPECIAL CONSIDERATIONS

The management and operation of the Texas State Veterans Cemetery will require an increase in staffing to the City of Abilene Parks and Recreation department by (9) nine full time and (1) part time staff.

FUNDING/FISCAL IMPACT

The Veterans Cemetery will be a division within the Parks And Recreation Department. The division will be set up as a special revenue fund and not part of the general revenue fund. The City will be reimbursed 100% of the budget.

STAFF RECOMMENDATION

Staff recommends Council's approval of revision of the FY 23-24 Budget Ordinance to increase staffing for management and operation of the Texas State Veterans Cemetery.

BOARD OR COMMISSION RECOMMENDATION

n/a

ATTACHMENTS:

1. Ordinance-Revised Budget 2024
2. Presentation - Revise the FY23-24 Budget Ordinance

ORDINANCE NO. _____

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2023-2024; FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

WHEREAS, the City Manager has prepared a revision of certain figures in the 2023-2024 budget and submitted same to the City Council; and,

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

WHEREAS, said budget, as revised by the City Council, was duly set for a public hearing ordered to be called by the City Council and held on September 28th, 2023, after due notice, as required by the Charter of the City of Abilene and laws of the State of Texas; now, therefore,

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

PART 1: That the revised figures, prepared and submitted by the City Manager for the 2023-2024 budget, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved, and appropriated.

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

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

PART 4: That upon passage of this ordinance on first reading, the City Secretary be, and is hereby authorized and directed to have published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, a notice that a public hearing will be held in the Council Chambers of the City Hall in Abilene, Texas, at 8:30 A.M., on the 28th of September, 2023, to permit the public to be heard prior to consideration of this ordinance for second and final reading, said publication to be made on the 24th of September 2023, being more than twenty-four (24) hours prior to the time designated for such public hearing in accordance with Section 18 of the City Charter. 102.0065(b) Local Government Code, Special Notice by publication for Budget – except that if another law requires the governing body to give notice, by publication, of a hearing on a budget this section does not apply.

PART 5: That any ordinance, resolution, policy or any provision or section of the code of the City of Abilene, Texas, as amended, in conflict herewith, be, and the same is hereby repealed to the extent of any conflict. It is specifically provided that Resolution 40-1997 concerning liability claims shall remain in full force and effect.

PART 6: That the number, classification, and designation of each position as provided in Texas Local Government Code Ann., Chapter 143 (Vernon 1988), Municipal Civil Service, for the Police and Fire Departments, as set out below, are hereby created, established, and adopted as the official plan for the classified service of the Police and Fire Departments of the City of Abilene for the fiscal year October 1, 2021 through September 30, 2022, or as may be amended by City Council. Any position in the classified service of the Police and Fire Departments of the City of Abilene not below listed, is hereby abolished.

<u>Police Department</u>		<u>Fire Department</u>	
Assistant Police Chief	3	Deputy Fire Chief	2
Police Lieutenant	10	Battalion Chief	4
Police Sergeant	26	Fire Marshal	1
Police Officers	<u>178</u>	Fire Captain	12
	217	Fire Lieutenant	33
		Fire Fighter	<u>161</u>
			213

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

PASSED ON FIRST READING on the 14th day of September, A.D. 2023.

After passage on first reading, a notice of the time and place said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene. The same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on its second and final reading.

PASSED ON SECOND AND FINAL READING AT A PUBLIC HEARING on the
28th day of September, A.D. 2023.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

All Operating Funds	Adopted 2023-2024	Amended 2023-2024
Fund Balance Beginning	\$92,497,152	\$92,497,152
Total Revenue	334,918,611	335,718,611
Total Expenditures	344,198,211	344,998,211
Fund Balance Ending	\$83,217,552	\$83,217,552

Revising the FY 23-24 Budget Ordinance

September 28, 2023





General Information:

- Veteran Land Board requests the City to manage and operate the Texas State Veterans Cemetery at Abilene.
- Incorporating the State Veterans Cemetery will require a staffing increase in the Parks and Recreation Department of nine full time and one part time positions.
- The Veterans Land Board will fund the management and operation of the Texas State Veterans Cemetery at a cost of \$800,000. The budget will be a Special Revenue Fund.
- The City of Abilene will begin management on October 1, 2023.





**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 20. 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. 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
4. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
5. 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
6. 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
7. 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
8. 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
9. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
10. The Woodlands Pride, Inc., et al. v. Angela Colmenero, Interim Attorney General of Texas, et al., Case No. 4:23-cv-02847, In the United States District Court, Southern District of Texas, Houston Division, filed August 2, 2023
11. Eminent Domain Lawsuits - North First and Leggett Street Intersections

12. Eminent Domain - 212 ES 11th Street

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. 505 Pine Street

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None



**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor & Members of City Council

FROM:

SUBJECT: **21. Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the Municipal Court Judge

GENERAL INFORMATION

Annual evaluation of the Municipal Court Judge to be discussed in Executive Session

SPECIAL CONSIDERATIONS

N/A

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

None



**City Council
Agenda Memo**

City Council Meeting Date: 9/28/2023

TO: Honorable Mayor and City Council Members

FROM:

SUBJECT: 22. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Secretary

GENERAL INFORMATION

Annual evaluation of the City Secretary to be discussed in Executive Session.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None