



## **City of Abilene City Council Agenda**

Kyle McAlister, Mayor Pro-tem  
Travis Craver, Deputy Mayor Pro-tem  
Shane Price, Council Member  
Lynn Beard, Council Member  
Robert Hanna, City Manager

Weldon Hurt, Mayor

Blaise Regan, Council Member  
Brian Yates, 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 August 22, 2024 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. Deputy Mayor Pro-tem Travis Craver

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

### **PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

### **CONSENT AGENDA AND PUBLIC COMMENTS**

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

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

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

2. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 8, 2024 (**Shawna Atkinson**)
3. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with KFH Group, Inc for Strategic Evaluation of Fixed Route to Microtransit System Conversion Consulting Services (**Don Green**)
4. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with Schindler Elevator Corporation to Rebuild the Interior Escalators in the Airport Terminal (**Don Green**)
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with Forvis Mazars, LLP for Auditing Services (**Marjorie Knight**)
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract for Cost Allocation Plan Services with MGT of America Consulting, LLC (**Marjorie Knight**)
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Acknowledging Receipt of the Abilene-Taylor County Events Venue District's Budget for Revised FY 2024 and Approved FY 2025 Budgets (**Marjorie Knight**)
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division Regarding the Company’s 2024 Rate Review Mechanism Filing; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to Be Set By the Attached Settlement Tariffs to Be Just And Reasonable And In The Public Interest; Approving an Attachment Establishing A Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC’s Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution To the Company and the ACSC’s Legal Counsel (**Marjorie Knight**)
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to Daiken Applied America's, Inc. using TIPS Contract #T22010601 for Chiller Repairs at Abilene Convention Center (**Lesli Andrews**)
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the Purchase of Reverse Osmosis Membranes from Hydranautics, a Nitto Group Company, for the Possum Kingdom Raw Water Roughing Facility (**Rodney Taylor**)
11. **Ordinance (First Reading) HOZ-2024-01:** Receive a Report, Hold a Discussion and Take Action on a Request from Rachel Rowland, to Apply Historic Overlay Zoning to Approximately 0.31 Acres Zoned Single Family Residential (RS-12), Located at 940 Sayles Boulevard (**Tim Littlejohn**)
12. **Ordinance (First Reading) Z-2024-19:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, Represented by Garold Ropp, to Change the Zoning of Approximately 0.51 Acres from Medium Density (MD) to Multi-Family (MF), Located at 1665 S 15th St. (**Tim Littlejohn**)
13. **Ordinance (First Reading) Z-2024-20:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, Represented by Erik Johnson, to Change the Zoning of Approximately 10.1 Acres from Agricultural Open (AO) To Heavy Commercial (HC), located at the southeast corner of the intersection at Loop 322 and East Stamford Street (**Tim Littlejohn**)
14. **Ordinance (First Reading) Z-2024-21:** Receive a Report, Hold a Discussion and Take Action

on a Request from the Owner, Represented by Enprotec/Hibbs & Todd Inc, to Change the Zoning of Approximately 5.09 Acres From Medium Density (MD) To Medical Use (MU), Located At 1301-1441 Compere Boulevard And 1935, 1945 Simmons Ave. (Tim Littlejohn)

15. **Ordinance (First Reading) Z-2024-22:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, Represented by Enprotec / Hibbs & Todd, Inc, to Change the Zoning of Approximately 0.56 Acres from Residential Single-Family (RS-6) To General Retail (GR), Located At 1618, 1626, 1642 Ambler Ave. (Tim Littlejohn)
16. **Ordinance (First Reading) Z-2024-23:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, Represented by Civetta Solutions, to Amend the Terms and Conditions of Planned Development District 76 (PDD-76), Specifically to Allow for Patio Home Uses and Medium Density Residential Uses, Located at Health Way Drive, the 5800 Block of Health Center Drive and the 2800 Block of Bishop Drive (Tim Littlejohn)

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

17. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Public Safety and Airport Projects (Marjorie Knight)
18. **Ordinance (Final Reading) Z-2024-14:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Amend The Terms And Conditions Of A Planned Development District (PDD-61). Specifically, To Amend The Boundaries Of The Planned Development To Add A ‘Tract 3’ With The Base Zoning Of Agricultural Open (AO) With A Permitted Use Of Carpentry Services. Located At 450 South 25th Street (Tim Littlejohn)

#### **EXECUTIVE SESSION**

19. **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. 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
2. 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
3. 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
4. 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
5. 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
6. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
7. The Woodlands Pride, Inc., et al. v. Ken Paxton, 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
8. PFAS Litigation
9. Ginger Robertson v. City of Abilene and Abilene Zoological Society; Cause No. 13179-D, In the 350th Judicial District Court, Taylor County, Texas; filed December 5, 2023
10. City of Dallas, et al, v. Disney DTC, LLC, et al., Cause No. DC-22-09128, In the 14th Judicial District Court, Dallas County, Texas, filed August 3, 2022
11. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District

Court, Taylor County, Texas; filed March 1, 2024  
12. Mary Lou Gonzales v. City of Abilene, Board of Building Standards; Cause No. 29156-B; In the District Court, 104th Judicial District, Taylor County, Texas; filed April 10, 2024

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

1. Utility easement, .882 acres, between Dunham Dr and Boys Ranch Rd
2. 610 Walnut

**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**

20. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving DCOA Project Road Runner **(Misty Mayo)**

**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 16th day of August, 2024, at 1:20 p.m.*

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*Kaitlin Richardson, TRMC*  
Deputy City Secretary