



City of Abilene City Council Agenda

Weldon Hurt, Mayor Pro-tem
Shane Price, Council Member
Jack Rentz, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Kyle McAlister, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on March 12, 2020, 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 Kyle McAlister

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Presentations:**

- Texas Law Enforcement Best Practices Recognition Program - presented by Chief Freida of the Sweetwater Police Department
- 2020 Census Presentation by Jay Hardaway

3. **Service Awards:**

- Suzanne Shahan - Solid Waste & Recycling - 20 Years
- Danny Blankenship - Police Department - 35 Years
- Willie Ford - Police Department - 35 Years

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

4. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on February 27, 2020 **(Shawna Atkinson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve the Purchase of Two (2) Brush-Wildland Fire Fighting Vehicles **(Cande Flores)**
6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of a Leica RTC360 Laser and Scanner Kit for use in criminal investigations **(Stan Standridge)**
7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of the Investment Policy **(Mike Rains)**
8. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Accepting the FY 2019 Comprehensive Annual Financial Report (CAFR) **(Mike Rains)**
9. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of Expenditure of Funds in Excess of the General Fund Three Month Operating Reserve **(Mike Rains)**
10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. CB-2037 to Nobles Road Construction for T&P Lane Reconstruction Project **(Greg McCaffery)**
11. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. CB-2036 to Intermountain Slurry Seal, Inc. for Modified-Slurry-Seal in Work Zones S6 & S24 **(Greg McCaffery)**
12. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. CB-2035 to Bontke Brothers Construction for S. Willis St. Rehabilitation Project **(Greg McCaffery)**
13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. CB-2040 to Bontke Brothers Construction for Butternut Street Reconstruction Project **(Greg McCaffery)**
14. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with Motis Investments, LLC **(Greg McCaffery)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

15. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Establishing the City of Abilene Property Assessed Clean Energy (PACE) Program **(Cheryl Sawyers)**
16. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to execute a Professional Services Contract with the Texas Property Assessed Clean Energy Authority to administer the Texas Property Assessed Clean Energy Act (PACE Act), and serve as the Authorized Representative for the program **(Cheryl Sawyers)**

17. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance of City of Abilene, Texas General Obligation Refunding Bonds, Taxable Series 2020; Establishing Procedures and Delegating Authority for the Sale and Delivery of the Bonds; Providing An Effective Date; and Enacting Other Provisions Relating to the Subject **(Mike Rains)**
18. **Ordinance (Final Reading) Z-2020-04:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bryan Pope to Rezone Property from Heavy Commercial (HC) to Heavy Industrial (HI) District Located at 1401 Cherry Street on Southeast Corner of Dimmitt and Cherry Streets **(Mike Warrix)**
19. **Ordinance (Final Reading) Z-2020-05:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from KPLB LLC, Agent Jacob & Martin Engineering, to Rezone Property from Residential Medium-Density (MD) to Residential Single-Family Patio Home (PH) District Located at 1826 Colony Hill Road Approximately 500 to 800 Feet East from its Intersection with Maple Street **(Mike Warrix)**
20. **Ordinance (Final Reading) TC-2020-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Homer Hillis, agent Riley Griffith of Enprotec/Hibbs & Todd, to abandon an unimproved west margin (0.0469 acre) of right-of-way available for Lytle Acres Drive and adjacent to vacant building site at 1208 Lytle Acres Drive occupying Block D of Lytle Lake Gardens **(Mike Warrix)**
21. **Ordinance (Final Reading) OAM-2019-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on proposed amendments to Land Development Code for the City of Abilene, removing the entire text of existing Section 2.4.4.2 in Chapter 2 (Zoning Regulations) and which specifically concerns carports and patio covers, replacing the existing text with a new Section 2.4.4.2 regulating the size, height, placement and architectural character of certain carports and patio covers; adopting new definitions of both “carport” and “patio cover” as those terms appear in Section 5.1.1.4 (34), Chapter 5 (Definitions); and deleting Paragraph 12 of Section 1.4.4.1(d), Chapter 1 (General Provisions) regarding allowing Special Exceptions for carports. **(Brad Stone)**

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

EXECUTIVE SESSION

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

A. 551.071 (Consultation with Attorney)

1. City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
2. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
3. Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene, Cause No. D-1-GN-16-001160, Travis County, Texas, filed March 16, 2016
4. Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
5. 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
6. Officer Patrick Sumrall and City of Abilene, Case No. 01-18-000-8653; Appeal of Indefinite Suspension to Arbitration, filed February 6, 2018
7. Tracy Kennedy and Richard Kennedy v. Katie Snell, Richard Perez, Thomas Bryant, John Doe 1, and John Doe 2; Case No. 1:18-cv-162, In the United States District Court, Northern District of Texas, Abilene Division, filed October 16, 2018
8. Alfredo Valencia v. Corey Davis and City of Abilene; Case No. 1:19-cv-00017-C; In the United States District Court, Northern District of Texas, Abilene Division, filed February 4, 2019.
9. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
10. Ovation Services, LLC v. Blanca Cortez, et al.; Case No. 11875-D; In the 350th Judicial District Court, Taylor County, Texas; filed July 15, 2019
11. 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
12. The State of Texas v. The Unknown Heirs of B.E. Caffey, Senior, et al., Cause No. 6939, Condemnation Proceeding filed in the County Court at Law No. 2, Taylor County, Texas, filed August 20, 2019
13. City of Abilene, Texas and Garfield Public/Private LLC v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-000900, In the 261st Judicial District Court, Travis County, Texas, filed February 13, 2020
14. Sanctuary City for the Unborn

B. 551.072 (Deliberations about Real Property)

1. Clyde Water

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

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

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Abilene Convention Center Hotel Project
2. Economic Development Incentives for a Proposed Residential Subdivision West of Buffalo Gap and North of FM 707

RECONVENE

REGULAR AGENDA

23. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Development Corporation of Abilene, Inc.'s Incentive Package Agreement with Project Gateway **(Misty Mayo)**
24. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Development Corporation of Abilene, Inc.'s Incentive Package Agreement with Project Threshold **(Misty Mayo)**
25. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Possible Action on Approving a Settlement Agreement in Cause No. 10138-D, Chad Carter v. City of Abilene, Taylor County, Texas **(Stanley Smith)**
26. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
 - Airport Development Board
 - Citizens Advisory Board for People with Disabilities
 - Development Corporation of Abilene

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 5th day of March, 2020 at 4:00 p.m.

Shawna Atkinson, City Secretary