



City of Abilene City Council Agenda

Brian Yates, Mayor Pro-tem
Blaise Regan, Deputy Mayor Pro-tem
Shane Price, Council Member
Lynn Beard, Council Member
Emily Crawford, City Manager

Weldon Hurt, Mayor

Miguel Espinoza, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on October 23, 2025, 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 Blaise Regan

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Proclamation:**

- Disability Awareness Month

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 October 9, 2025 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with Informa Princeton, LLC to Perform Air Service Development Consulting Services **(Don Green)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of Four (4) 2026 Autocar ACX64 Side Loader Refuse Trucks with Heil Automated DuraPack Rapid Rail Body from Chastang Enterprises Inc of Houston, Texas for Solid Waste Services **(Don Green)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of One (1) 2024 Takeuchi TB290CL with Cab, Segmented Rubber Tracks and Multiple Attachments from Kirby-Smith Machinery Inc, Abilene, TX for Stormwater Utilities **(Don Green)**
7. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Resolution Requesting TXDOT Approval of a Local On-System Improvement Project **(Don Green)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of FF&E (Furniture, Fixtures, & Equipment) for the New Recreation Centers (Cesar Chavez & G.V. Daniels) from Marathon Fitness **(Lesli Andrews)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of a Microsoft Enterprise License Agreement from SHI **(Troy Swanson)**
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of Cisco Wireless Access Points and Products from CDW-G **(Troy Swanson)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve a Resolution to Appoint the Child Advocacy Director as the Authorized Official for the OVAG Grant **(Annette Lerma)**
12. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2601 Texas Ave. Culvert Replacement Project to Bontke Brothers Construction Co., Inc. **(Max Johnson)**
13. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Approving the Contract with Parkson Corporation for the Purchase and Replacement of Two Rotoshear Drum Screens at the Hamby Water Reclamation Facility **(Matthew Dane)**
14. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Authorize the City Manager to Execute a Change Order to the Contract Between Siddons Martin Emergency Group, LLC and the Abilene Fire Department, for the Purchase of Four (4) Pierce Custom-Built Fire Apparatus **(Cande Flores)**
15. **Ordinance (First Reading) Z-2025-32:** Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 20.61 Acres From Agricultural Open (AO) And Medium Density (MD) To Multi-Family (MF). Located At The 400 Block Of Jolly Rogers Road. **(Tim Littlejohn)**

16. **Ordinance (First Reading) Z-2025-34:** Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 2.88 Acres From RS-8/COR And AO/COR To GR/COR. Located at 6144 Buffalo Gap Road. **(Tim Littlejohn)**
17. **Ordinance (First Reading) Z-2025-35:** Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Amend The Terms And Conditions Of A Planned Development District (PDD-136). Located at 1699 S. 1st Street **(Tim Littlejohn)**
18. **Ordinance (First Reading) Z-2025-36:** Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 5.23 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Located at 3329 Maple Street. **(Tim Littlejohn)**
19. **Ordinance (First Reading) Z-2025-37:** Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 44.90 Acres From Agricultural Open (AO) To Residential Single-Family (RS-6) And General Commercial (GC). Located At 3009 Dub Wright Boulevard And 3010 Bishop Road. **(Tim Littlejohn)**
20. **Ordinance (First Reading) Z-2025-38:** Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 0.48 Acres From Heavy Industrial (HI) To Light Industrial (LI). Located At 525 S Treadaway Blvd. **(Tim Littlejohn)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

21. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Amend the Fee Schedule Ordinance to Increase Passenger Fares for CityLink **(Don Green)**
22. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Amend the Fee Schedule Ordinance to Increase the Permit Fee For Certain Food Establishment Permits **(Annette Lerma)**
23. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, Motor Vehicles and Traffic, Article I, In General, Section 18-11, Use of Golf Carts on Public Streets. **(Stanley Smith)**

EXECUTIVE SESSION

24. **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

13. Bouldin Pat Crofton v. City of Abilene, Board of Building Standards; Cause No. 52175-A, In the 42nd Judicial Court, Taylor County, Texas; filed May 9, 2025

14. Tracey Freeman v. City of Abilene, Case No. 13596-D; In the District Court of Taylor County, 350th Judicial District, filed on July 8, 2025

15. Bronson Joseph Serasio v. C Davis, City of Abilene Police Department; Case No. 25SC-11643J11; In The Small Claims Court, Precinct 1, Place 1, Taylor County, Texas, filed July 21, 2025

16. Victor Lynn Lee v. Erin Stamey, et al., Case No. 5:25-cv-00590-XR; In the United States District Court, Western District of Texas, San Antonio Division; filed May 28, 2025

17. Brennon and Brittany Manske, et al. v. City of Abilene, et al.; Case No. 1:25-cv-00172-H, In the United States District Court, Northern District of Texas, Abilene Division, filed September 5, 2025

18. Eddie Pugh v. Rise Church of Abilene, Inc., et al.; Cause No. 52301-A, In the District Court of Taylor County, Texas, 42nd Judicial District; filed September 11, 2025

19. Kevin Young v. Matthew Clopton; Case No. 1:24-CV-00113-H, In the United States District Court, Northern District of Texas, Abilene Division, filed July 16, 2024

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
3. Discussion Regarding Applicants for Municipal Court Judge Position

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Project Surf
2. Project Rainy Creek

RECONVENE

REGULAR AGENDA

25.

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**)

- Abilene Housing Authority
- Board of Adjustment
- Board of Building Standards
- Library Advisory Board

- Neighborhood Services Advisory Board
- Planning & Zoning Commission

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 17th day of October, 2025, at 2:00 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary



**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Honorable Mayor & Members of City Council
FROM: Shawna Atkinson, City Secretary
ITEM: 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 9, 2025 (Shawna Atkinson)

GENERAL INFORMATION

Approval of the Minutes from the Regular Meeting Held on October 9, 2025

FUNDING/FISCAL IMPACT

None

STAFF AND/OR BOARD RECOMMENDATION

Approval of the Minutes

ATTACHMENTS:

1. 10-09-2025 Minutes - Regular - Morning

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

CITY COUNCIL MEETING
October 9, 2025 at 8:30 a.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas met in Regular Session on October 9, 2025, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Brian Yates, Deputy Mayor Pro-tem Blaise Regan, and Councilmembers Shane Price, Lynn Beard, Miguel Espinoza and Travis Craver. Also present were City Manager Emily Crawford, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Mayor Weldon Hurt led the invocation.

Madison Lance and Chandler Batchelor both fifth graders from Bowie Elementary led the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

- Deputy Mayor Pro-tem Regan presented the following proclamations:
 - National Chiropractic Health Month – accepted by Dr. Nick Anthony
 - National Physical Therapy Month & Physicians Assistant Week – accepted by Hardin Simmons University staff and students.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-13. Items 7 and 12 were pulled for individual consideration.

Item(s) pulled for individual consideration:

- Item 7 – Councilmember Espinoza
- Item 12 – Councilmember Espinoza

PUBLIC COMMENTS

Mayor Hurt opened the public comment period. The following addressed the City Council:

- Eddie Pugh
- Tammy Fogle

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

CONSENT AGENDA

Councilmember Espinoza moved to approve the consent agenda, now consisting of items 3-6, 8-11 and 13. Mayor Pro-tem Yates seconded the motion. Motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Yates, Deputy Mayor Pro-tem Regan, and Councilmembers Price, Beard, Espinoza 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 September 25, 2025 and the Special Meeting Held on October 3, 2025

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Casting a Vote to Nominate a Member to the Jones County Appraisal District Board of Directors
[ASSIGNED RESOLUTION NO. 196-2025]
5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Appointment of Chris Riley as an Assistant Municipal Court Judge
[ASSIGNED RESOLUTION NO. 197-2025]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Annual Street Services Division Materials Bid #CB-2561
[ASSIGNED RESOLUTION NO. 198-2025]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on the Renewal of a Lease Agreement with Partners Mall Abilene, LLC for the South Branch Library
[ASSIGNED RESOLUTION NO. 200-2025]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve Library Materials Purchases from Midwest Tape
[ASSIGNED RESOLUTION NO. 201-2025]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Continue the Agreement with OverDrive for Library Materials
[ASSIGNED RESOLUTION NO. 202-2025]
11. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Increasing Passenger Fares for CityLink
12. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action to Amend the Fee Schedule Ordinance to Increase the Permit Fee For Certain Food Establishment Permits
13. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, Motor Vehicles and Traffic, Article I, In General, Section 18-11, Use of Golf Carts on Public Streets.

ITEMS PULLED FROM CONSIDERATION

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Convention Center Hotel Development Corporation's FY 2026 Budget
[ASSIGNED RESOLUTION NO. 199-2025]

Having pulled the item, Councilmember Espinoza asked for the staff presentation on the item just for public information.

Marjorie Knight, Director of Finance, presented the item. Adoption of the item would approve the FY 2026 Budget for the Abilene Convention Center Hotel Development Corporation. The numbers presented are preliminary only, as Hilton has not prepared their budget yet.

Mayor Hurt opened the public hearing. The following spoke on the item:

- Tammy Fogle

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

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

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

NAYS (0): None

12. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action to Amend the Fee Schedule Ordinance to Increase the Permit Fee For Certain Food Establishment Permits

Having pulled the item, Councilmember Espinoza asked for the staff presentation on the item just for public information.

Annette Lerma, Director of Health, presented the item. Adoption of the item would amend the FY 2026 fee schedule ordinance to increase the permit fee for certain food establishment permits following the updates to Senate Bill 1008 and House Bill 2844.

Mayor Hurt opened the public hearing. The following spoke on the item:

- Tammy Fogle

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

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

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

NAYS (0): None

REGULAR AGENDA

14. Ordinance (Final Reading) Z-2025-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owners, To Amend The Terms And Conditions Of A Planned Development District (PDD-104), Specifically To Allow For Multi-Family (MF) Base Zoning In Tract 4. Located Along East South 27th Street.

[ASSIGNED ORDINANCE NO. 72-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would amend the conditions of Planned Development District (PDD-104) to allow for Multi-Family (MF) base zoning in Tract 4 at the above referenced location.

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

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

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

15. Ordinance (Final Reading) Z-2025-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 0.23 Acres From Multi-Family (MF) To Mixed Use (MX). Located At 1365 Sayles Boulevard.
[ASSIGNED ORDINANCE NO. 73-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced location from Multi-Family (MF) to Mixed Use (MX). Mr. Littlejohn also presented a second option to Council to change to the zoning to Neighborhood Office (NO) instead of Mixed-Use (MX), to allow limitations on hours of operation, if they would prefer that.

Mayor Hurt opened the public hearing. The following spoke in opposition to the item:

- Danielle Delhomme
- Shona Williford
- Val Petronells
- Sandy Freeman (did not wish to speak, indicated opposition on card)
- Clay Freeman (did not wish to speak, indicated opposition on card)

The following spoke in favor of the item:

- Erica Lunsford, applicant
- Tammy Fogle

Mayor Pro-tem Yates moved to approve the item as presented. The motion failed for lack of a second.

Councilmember Price moved to approve the item as presented in the second option, which would change the zoning to Neighborhood Office (NO). Councilmember Espinoza seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Yates, Deputy Mayor Pro-tem Regan, and Councilmembers Price, Espinoza and Craver
NAYS (1): Councilmember Beard

16. Ordinance (Final Reading) Z-2025-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 32.55 Acres From Agriculture Open (AO), Multi-Family (MF) And General Commercial (GC) To General Commercial (GC). Located At 1755 E Stamford Street.
[ASSIGNED ORDINANCE NO. 74-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced location from Agriculture Open (AO), Multi-Family (MF) and General Commercial (GC) to only General Commercial (GC).

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Clayton Farrow, agent for the applicant

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

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

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

NAYS (0): None

17. Ordinance (Final Reading) Z-2025-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 106.76 Acres From Residential Single-Family (RS-8) To Residential Single-Family (RS-6). Located At The 6700 Block Of Lantana Avenue.

[ASSIGNED ORDINANCE NO. 75-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would change the zoning at the above referenced location from Residential Single-Family (RS-8) to Residential Single-Family (RS-6).

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Clayton Farrow, agent for the applicant

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

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

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

NAYS (0): None

18. Ordinance (Final Reading) Z-2025-30: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 99.45 Acres From Agricultural Open (AO) To Residential Single-Family (RS-6). Located At The 6600 Block Of HWY 277 S.

[ASSIGNED ORDINANCE NO. 76-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would change the zoning at the above referenced location from Agricultural Open Space (AO) to Residential Single Family (RS-6).

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Clayton Farrow, agent for the applicant

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

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

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

NAYS (0): None

19. Ordinance (Final Reading) Z-2025-31: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 5.10 Acres From Heavy Industrial (HI) To Light Industrial (LI). Located At 4325 Burl Harris Dr.
[ASSIGNED ORDINANCE NO. 77-2025]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would change the zoning at the above referenced location from Heavy Industrial (HI) to Light Industrial (LI).

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- BJ Pritchard, agent for the applicant

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

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

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

NAYS (0): None

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:55 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:

20.A.551.072 (Consultation with Attorney)

1. Eddie Pugh v. Rise Church et. Al; Cause No 52301-A

20.D.551.072 (Deliberations About Real Property)

1. 1002 S 32nd Street

The Executive Session ended at 10:31 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA – END

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Accepting a Proposal for Management Services on City Owned Property at 1002 S 32nd Street, known as Maxwell Golf Course.
[ASSIGNED RESOLUTION NO. 203-2025]

Emily Crawford, City Manager, presented the item. There was only one proposal received for management of the course, and no bids to purchase. Staff's recommendation was to deny the one proposal received, and to put it back out for bids with clearer expectations.

Mayor Hurt opened the public hearing. The following spoke on the item:

- Mike Fraish
- Mark Santibanez
- Tammy Fogle
- Raymond Blasingame
- Chad Carter

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

Councilmember Beard moved to deny the management proposal received. Mayor Pro-tem Yates seconded the motion; motion carried.

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

NAYS (0): None

28. 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
[ASSIGNED RESOLUTION NO. 204-2025]

Adoption of the item would approve the (re)appointments of the following board & commission members, per the City Charter:

Board	Term End Date
<i>Mayor's Advisory Board for People with Disabilities</i>	
JoAnne Fluke [Reappointment]	October 2027
Jamie Thomas [Reappointment]	October 2027
Robert Marshall [New]	October 2027
Nikki Parkhill [Reappointment]	October 2027

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

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

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

NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 10:49 a.m.

Shawna Atkinson
City Secretary

Weldon Hurt
Mayor

Minutes approved on: _____



**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Don Green, Director

ITEM: 4. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with Informa Princeton, LLC to Perform Air Service Development Consulting Services (*Don Green*)

GENERAL INFORMATION

Informa Princeton, LLC, and its predecessor company, has been the city's air service consultant since 2017. The current contract expired October 1, 2025. It is desirable that a new contract with this company be entered into for up to five years. This consultant provides customized data support for meetings with airlines about new service and attends airline meetings with airport staff.

FUNDING/FISCAL IMPACT

Funding for this contract is provided by DCOA as part of its FY26 budget. The cost for specified services will not exceed \$78,000.00 per year. However, costs for travel to meetings will be paid in addition to this contract fee.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends approval of this contract.

ATTACHMENTS:

1. Informa Princeton LLC Air Service Consultant Contract Resolution (2025)
2. Informa Princeton Air Service Consulting Contract
3. Informa Princeton Contract Presentation (10-23-2025)

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

CONTRACTING WITH INFORMA PRINCETON, LLC FOR AIR SERVICE DEVELOPMENT CONSULTANT

WHEREAS, City of Abilene and Abilene Regional Airport must continually look at opportunities for new and improved air service and retaining current air service; and

WHEREAS, Council awarded an air service consulting contract to UBMi Princeton, LLC (now Informa Princeton, LLC, which expired October 1, 2025; and

WHEREAS, Informa Princeton, LLC assisted in attracting new SkyWest/United Express service to Houston George Bush Intercontinental Airport 2020 and has been a valuable resource in subsequent airline meetings; and

WHEREAS, this new contract will include continued air service development and retention efforts for one year with four one-year mutually agreeable options as funded; and

WHEREAS, the Airport Development Board approved its recommendation for this contract on October 8, 2025.

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

PART 1: That City Council approves this award in the amount of \$78,000.00 per year, excluding travel costs incurred for Airport-approved meetings.

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

ADOPTED this 23rd Day of October 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



PROFESSIONAL SERVICES CONTRACT (Not Architect or Engineer)

This Contract, dated the 23rd day of October, 2025, is between the City of Abilene, a home rule municipal corporation of the State of Texas (“City”), and Informa Princeton, LLC (“Professional”).

The City is engaged in Air Service Development and desires to engage the services of Professional, as an independent contractor and not as an employee, to assist in the project and to render his or her services on the terms and conditions provided in this Contract.

The Professional is a[n] qualified Air Service Development Consultant properly licensed/certified to practice in the State of Texas. Professional desires to render professional services as further described in Attachment A to the City on the terms and conditions provided in this Contract.

The Professional must perform services with the professional skill and care ordinarily provided by competent professionals practicing in the same or similar locality and under the same or similar circumstances and professional license, and as expeditiously as is prudent considering the ordinary professional skill and care of a competent professional.

THEREFORE, the City engages the services of the Professional. In consideration of the mutual promises contained in this Contract, the parties agree as follows:

I. TERM

In consideration of the compensation stated in Paragraph II and further described in Attachment B., the Professional must provide all services as described in Attachment A, which is incorporated by reference for all purposes. The Professional must complete all services by October 22, 2026.

II. PAYMENT

For the services to be rendered under this Contract, the Professional will be entitled to a fee as described in Attachment B, which is incorporated by reference for all purposes.

III. ASSIGNMENT

The Professional may not assign, in whole or in part, any rights, duties, obligations, or interest arising from this Contract without the City's prior written consent. In the event of an assignment by the Professional to which the City has consented, the assignee or assignee's legal representative must agree in writing with the City to personally assume, perform, and be bound by all the provisions of this Contract. All of the terms and provisions of this Contract are binding on Professional's successors and assigns and may be enforced by the City against such successors and assigns.

IV. STATUS OF PROFESSIONAL

The Professional is an Independent Contractor. Professional and Professional's employees are not the agents, servants, or employees of the City.

V. AMENDMENT OR MODIFICATION

This Contract, including attachments, constitutes the entire agreement of the parties. Any statements, promises, or agreements made by either party or its agent, which are not contained in this Contract are of no effect. This Contract may not be amended or modified except by both parties' written consent. This Contract supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Contract.

VI. OWNERSHIP OF DOCUMENTS AND MATERIALS

Ownership of Documents and Materials is according to Attachment C.

VII. NONDISCLOSURE

The Professional may not show to any person or entity any documents, reports, plans, programs, reports, drawings, or any other materials which Professional prepares or acquires in performing this Contract, including any duplicate copies kept by Professional. The Professional may not disclose to any person or entity any information regarding the City's activities. The City may, however, specifically authorize a limited disclosure at its discretion.

VIII. INDEMNITY

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

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

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

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

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

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

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

B. Indemnity

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

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

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

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

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

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

IX. INSURANCE

A. GENERAL REQUIREMENTS

The Professional agrees to maintain the type and amounts of insurance required in this Contract throughout the term of the Contract. The Professional is solely responsible for providing the required certificates of insurance. The City may terminate this Contract if the Professional fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as additional insured must be primary insurance and not contributing with any other insurance available to City, under any third party liability policy.

Before the City executes the notice to proceed with any work under this Contract, the Professional must provide the City Secretary with either an original certificate of insurance or a certified copy of the insurance policy evidencing the required insurance. Thereafter, the Professional must furnish new certificates or copies of the policy before the expiration date.

Texas Labor Code Section 406.096 requires a city to ensure that contractors carry workers' compensation for each employee when the city is a party to any "building or construction contract." The Code enumerates that "building and construction" includes:

(A) erecting or preparing to erect a structure, including a building, bridge, roadway, public utility facility, or related appurtenance;

(B) remodeling, extending, repairing, or demolishing a structure; or

(C) otherwise improving real property or an appurtenance to real property through similar activities.

B. ADDITIONAL REQUIREMENTS

The required liability insurances and their certificates must:

1. Name the City as an additional insured with respect to operations for which this Contract is made.

2. Provide for thirty (30) days advance written notice of cancellation or material change.

C. TYPES AND AMOUNTS OF INSURANCE

The types of insurance required in this Contract are those indicated by initials. If no initials appear on any of items 1 through 6, items 1 through 4 shall be required.

<u>Type</u>	<u>Amount</u>
___ 1. Workers' Compensation Employer's Liability	Statutory \$100,000 per occurrence
___ 2. Commercial (Public) Liability including, but not limited to: • Premises/Operations • Independent Contractors • Products/Completed Operations • Contractual Liability (insuring above indemnity) and where the exposures exist • Explosion Collapse and Underground	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
___ 3. Business Automobile Liability to include coverage for: • Owned/Leased Autos • Non-Owned Autos • Hired Cars	\$500,000 combined single limit for bodily injury and property damage (per occurrence)

- ___ 4. Professional Liability \$500,000 combined single limit
(per occurrence)
- ___ 5. See Addendum for Special
Coverages and/or revisions
- _X_ 6. No Insurance Required

X. VENUE, CHOICE OF LAW, AND INTERPRETATION

Venue for any cause of action arising under this Contract is Taylor County, Texas. This Contract is governed by the laws of the State of Texas both as to interpretation and performance. This Contract shall, in any dispute over its meaning or application, be interpreted fairly and reasonably, and not more strongly for or against either party.

XI. TERMINATION

This Contract may be terminated at any time upon thirty (30) days written notice by City to Professional. In the event of termination, Professional will be compensated for work satisfactorily performed before the termination date. For any funding beyond the current fiscal year, the City reserves the right to immediately terminate this Contract by giving written notice, without liability to the City, in the event that funding for this Contract is discontinued or is no longer available. The City's fiscal year runs from October 1st to September 30th.

If, through any cause, the Professional fails to fulfill his obligations under this Contract, or if the Professional violates any of the agreements of this Contract, the City has the right to terminate the Contract by giving five (5) days written notice to the Professional. The Professional will be compensated for work satisfactorily performed before the termination date.

The Professional, however, is not relieved of liability to the City for damages sustained by the City because of any breach of contract by Professional. The City may withhold any payments to Professional for the purpose of setoff until the exact amount of damages due the City from the Professional is determined and paid.

XII. PROJECT REPRESENTATION

The City may appoint a Project Representative to assist in obtaining information from various City departments as requested by Professional and in coordinating, monitoring, and evaluating the project to its completion. The Project Representative has no control over the means, methods, techniques, or procedures employed by Professional. The City is interested only in the results obtained under this Contract; the manner and means of obtaining those results is solely under the Professional's control.

XIII. NOTICE

All notices must be in writing, hand-delivered or mailed by certified mail, to the other party at the address below. The name and address for notification may be changed by notice to the other party.

**City – ATTN:
Director of Transportation
Services
2933 Airport Blvd, Ste 200
Abilene, TX 79602**

**Professional – ATTN:
Martin Kammerman
6651 Clearbrook Dr.
Nashville, TN 37205**

XIV. COMPLIANCE WITH LAWS, CHARTER, ORDINANCES

Professional, its agents, employees, and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Abilene, and with all applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies. Professional must obtain all necessary permits and licenses required in completing the work contracted for in this agreement.

XV. NO INDEBTEDNESS

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

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

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

XVI. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to recruit, employ, and to provide compensation, promotion, and other conditions of employment without regard to race, color, religion, sex, age, national origin, or disability. The City affirms that employment decisions shall be made only on the basis of bona fide occupational qualifications. The City shall continually review its employment practices and personnel procedures and take positive steps to assure that equality of employment opportunity in the City of Abilene, Texas, is a fact, as well as an ideal.

XVII. VERIFICATION OF EMPLOYMENT ELIGIBILITY

Professional must comply with the Immigration Reform and Control Act (IRCA) and may not knowingly obtain labor or services of an unauthorized alien. Professional, not the City, must verify eligibility for employment as required by IRCA.

XVIII. MINORITY AND WOMEN BUSINESS ENTERPRISES

The City hereby gives notice that Minority and Women Business Enterprises will be afforded equal opportunities to submit bids for this Contract and will not be discriminated against on the grounds of race, ethnicity, color, sex, religion, or national origin in awarding the contract. Technical assistance is available to Minority and Women Business Enterprises through the Texas Tech University Small Business Development Center, 749 Gateway St., #301, Building C, Abilene, Texas, 79602, 325-670-0300.

XIX. SALES TAX

The City qualifies as an exempt agency under the Texas Limited Sales, Excise and Use Tax Act (the "Tax Act"), and is not subject to any State or City sales taxes on materials incorporated into the project. Labor used in the performance of this Contract is also not subject to State or City sales taxes. The City will provide an exemption certificate to the Professional. The Professional must have a sales tax permit issued by the Comptroller of Public Accounts and shall issue a resale certificate complying with the Tax Act, as amended, when purchasing said materials. The Professional is responsible for any sales taxes applicable to equipment purchases, rentals, leases, consumable supplies which are not incorporated into the project, tangible personal property purchased for use in the performance of this Contract and not completely consumed, or other taxable services used to perform this Contract, or other taxes required by law in connection with this Contract.

XX. LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provisions, and the Contract will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

XXII. STATUTORY VERIFICATIONS

Verification Against Boycott of Israel Provision. In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a company for the provision of goods or services unless the agreement contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. The term "company" does not include a sole proprietorship. Chapter 2271 of the Texas

Government Code only applies to an agreement that: (1) is between a governmental entity and a company with 10 or more full-time employees; and (2) has a value of \$100,000.00 or more that is paid wholly or partly from public funds of the governmental entity.

Verification Against Discrimination of Firearm or Ammunition Industries Provision.

Pursuant to Texas Government Code Chapter 2274, unless otherwise exempt, if the company employs at least 10 full-time employees, and this agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company verifies that: (1) the company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the company will not discriminate during the term of the Agreement against a firearm entity or firearm trade association. The term “company” does not include a sole proprietorship. This provision does not apply to a governmental entity that contracts with a sole-source provider, or does not receive any bids from a company that is able to provide the written verification required.

Verification Against Boycott of Energy Companies Provision. Pursuant to Texas Government Code Chapter 2276, unless otherwise exempt, if the company employs at least 10 full-time employees, and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company represents that: (1) the company does not boycott energy companies; and (2) the company will not boycott energy companies during the term of this Agreement. The term “company” does not include a sole proprietorship. This provision does not apply to a governmental entity that determines the requirements are inconsistent with the governmental entity’s constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds.

Prohibition on Contracts with Certain Companies Provision. In accordance with Section 2252.152 of the Texas Government Code, the company verifies that company is not on a list maintained by the State Comptroller’s office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Unless the Professional is not subject to a provision above, the signatory executing this Agreement on behalf of the Professional verifies that the Professional: (1) does not boycott Israel and will not boycott Israel during the term of this Agreement; (2) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, and will not discriminate during the term of this Agreement against a firearm entity or firearm trade association; (3) does not boycott energy companies, and will not boycott energy companies during the term of this Agreement; and (4) is not on a list maintained by the State Comptroller’s office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

XXII. SECTIONS AND OTHER HEADINGS

Section, paragraph, and other headings contained in this Contract are for reference purposes only and do not affect in any way the meaning or interpretation of this Contract.

XXIII. COUNTERPARTS

This Contract may be executed in two or more counterparts (including fax, email, or electronic PDF counterparts), each of which shall be deemed an original and all of which together shall constitute one instrument.

{Remainder of Page Intentionally Left Blank—Signature Page Follows}

IN WITNESS HEREOF, the parties hereto have executed this contract effective as of the date written above:

CITY OF ABILENE

PROFESSIONAL

By: Emily Crawford

By: Martin Kammerman

Title: City Manager

Title: Director, Air Service
Strategy/Development

Address: 6651 Clearbrook Dr Nashville.
TN 37205

Phone Number: 773-808-3534

ATTEST:

Federal Tax ID#: 90-0529208

City Secretary

ATTEST: (if corporation)

Corporation's Secretary

APPROVED:

Corporate Seal (if available)

By: _____
City Attorney

ATTACHMENT A

Scope of Services

Task 1: To monitor air carrier industry and related factors to airport and City staff that could impact ABI air service presently or in the future. Perform duties included in the monthly retainer.

1. Prepare, coordinate and attend airline headquarter meetings (2 per year)
2. Prepare, coordinate and attend airline industry conference meetings (8 per year)
3. Prepare and present a Leakage Study for full year 2024 (or other period as requested by ABI)
4. Plan, prepare, present air service update in a community visit with identified airport stakeholders.
5. On-Call ASD Consulting (regular calls with Consultant, and data support
6. Any other tasks as assigned by airport staff at an additional negotiated fee.

All prices are in \$US. Expenses for travel, conferences, and any additional materials and services in order to successfully complete Task 1.

This agreement has four one-year extension options that may be exercised upon agreement by both parties at a fee negotiated prior to the execution of the option.

ATTACHMENT B
PAYMENT SCHEDULE
PARTIES TO INITIAL OPTION(S) SELECTED

OPTION 1 ____

Compensation is based on actual hours of work/time devoted to providing the described professional services and will be paid at a rate of \$Click or tap here to enter text. per hour, or per the attached schedule, not to exceed \$Click or tap here to enter text..

Professional must submit monthly invoices to City accompanied by an explanation of charges, professional fees, and services. City will pay invoices according to its normal payment procedures.

OPTION 2 ____

Payment is in a lump sum amount of \$Click or tap here to enter text. upon completion of the work and written acceptance by the City.

No mechanic, contractor, subprofessionals, materialman, or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, if required by the City, the Professional must execute and provide City with an Affidavit that all bills for labor, materials, and incidentals incurred by subprofessionals, materialmen, mechanics, and suppliers under this agreement have been paid in full, and that there are no claims pending of which Professional has been notified.

OPTION 3 X

Payment is a fixed fee amount of \$78,000.00 payable per month at \$6,500.00 upon completion of the work and written acceptance by the City.

No mechanic, contractor, subcontractor, materialman, or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, if required by the City, the Professional shall execute and provide City with an Affidavit that all bills for labor, materials, and incidentals incurred by subprofessionals, materialmen, mechanics, and suppliers under this agreement have been paid in full, and that there are no claims pending of which Professional has been notified.

ATTACHMENT C

OWNERSHIP OF DOCUMENTS AND MATERIALS

Parties to initial option chosen

(Option 1) X

All documents and materials prepared by Professional under the terms of this Contract are the City's property from the time of preparation, and Professional must deliver the documents and materials to the City or make them available for inspection whenever requested. Professional has the right to make duplicate copies of such documents or materials for its own file or for other such purposes as the City authorizes in writing.

(Option 2)

All documents and materials prepared by the Professional remain the property of the Professional; however, Professional must furnish City, at no additional cost, one set of reproducible mylars of the original drawings of the work and/or one copy of all documents prepared by the Professional pursuant to this Agreement.

ATTACHMENT D

STATE MANDATED WORKERS' COMPENSATION INSURANCE LANGUAGE

THIS ATTACHMENT IS ONLY APPLICABLE IF WORKERS' COMPENSATION COVERAGE IS PROVIDED

a. Definitions

Certificate of coverage ("certificate") - a copy of a certificate of insurance, a certificate of authority to self-insure issued by the commission, or a coverage agreement (TWCC-81, TWCC-82, TWCC-83, or TWCC-84), showing statutory workers' compensation insurance coverage for the person's or entity's employees providing services on a project, for the duration of the project.

Duration of the project - includes the time from the beginning of the work on the project until the Professional's work on the project has been completed and accepted by the City.

Persons providing services on the project ("subcontractors" in 406.096) - includes all persons or entities performing all or part of the services the Professional has undertaken to perform on the project, regardless of whether that person contracted directly with the Professional and regardless of whether that person has employees. This includes, without limitation, independent contractors, subprofessionals, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity which furnishes persons to provide services on the project. "Services" include, without limitations, providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service(s) related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets.

- b. The Professional shall provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all employees of the Professional providing services on the project, for the duration of the project.
- c. The Professional must provide a certificate of coverage to the City prior to being awarded the contract.
- d. If the coverage period shown on the Professional's current certificate of coverage ends during the duration of the project, the Professional must, prior to the end of the coverage period, file a new certificate of coverage with the City showing that coverage has been extended.
- e. Professional shall obtain from each person providing services on a project and provide to City:
- (1) a certificate of coverage, prior to that person beginning work on the project, so the City will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(2) no later than seven (7) days after receipt by the Professional, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project.

- f. The Professional shall retain all required certificates of coverage for the duration of the project and for one (1) year thereafter.
- g. The Professional shall notify the City in writing by certified mail or personal delivery, within ten (10) days after the Professional knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project.
- h. The Professional shall post on each project site a notice, in the text, form, and manner prescribed by the Texas Workers' Compensation Commission, informing all persons providing services on the project that they are required to be covered, and stating how a person may verify coverage and report lack of coverage.
- i. The Professional shall contractually require each person with whom it contracts to provide services on a project to:
 - (1) provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all of its employees providing services on the project, for the duration of the project;
 - (2) provide to the Professional, prior to that person beginning work on the project, a certificate of coverage showing that coverage is being provided for all employees of the person providing service on the project, for the duration of the project;
 - (3) provide the Professional, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
 - (4) obtain from each other person with whom it contracts, and provide to the Professional:
 - (a) a certificate of coverage, prior to the other person beginning work on the project; and
 - (b) a new certificate of coverage showing extension of coverage, prior to the end of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
 - (5) retain all required certificates of coverage on file for the duration of the project and for one (1) year thereafter;
 - (6) notify the City in writing by certified mail or personal delivery, within ten (10) days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing service on the project;

(7) contractually require each person with whom it contracts, to perform as required by paragraphs (1) - (7), with the certificates of coverage to be provided to the person for whom they are providing services.

- j. By signing this Contract or providing or causing to be provided a certificate of coverage, the Professional is representing to the City that all employees of the Professional who will provide services on the project will be covered by workers' compensation coverage for the duration of the project, that the coverage will be based on proper reporting of classification codes and payroll amounts, and that all coverage agreements will be filed with the appropriate insurance carrier or, in the case of a self-insured, with the commission's Division of Self-Insurance Regulation. Providing false or misleading information may subject the Professional to administrative penalties, criminal penalties, civil penalties, or other civil actions.
- k. The Professional's failure to comply with any of these provisions is a breach of contract by the Professional which entitles the City to declare the Contract void if the Professional does not remedy the breach within ten (10) days after receipt of notice of breach from the City.

City Council Meeting





Air Service Consulting Contract with Informa Princeton, LLC

- The City has had an Air Service Development Consultant contract with UBMi Princeton, and its predecessor company, since 2017.
- The contract expired October 1, 2025 and a new contract with this firm, now named Informa Princeton, LLC is requested.
- Informa was instrumental in the Airport attracting the new SkyWest/United Express in 2020 and has been instrumental in subsequent airline meetings.
- Under the new contract, Informa will continue assisting in air service development and retention efforts.







**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Don Green, Director

ITEM: 5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of Four (4) 2026 Autocar ACX64 Side Loader Refuse Trucks with Heil Automated DuraPack Rapid Rail Body from Chastang Enterprises Inc of Houston, Texas for Solid Waste Services (Don Green)

GENERAL INFORMATION

Fleet Services seeks to purchase Four (4) 2026 Autocar ACX64 Side loader refuse trucks with Heil Automated DuraPack Rapid Rail body through Buyboard contract #723-23 from Chastang Enterprises Inc of Houston, Texas for Solid Waste Services, to replace units that have met the end of their useful life.

FUNDING/FISCAL IMPACT

The funds for the purchase are to be provided by the Fleet Replacement Fund and total \$1,811,036.00. The funds for this purchase were planned and included in the FY26 Budget Process. This is \$96,946.00 under budget.

STAFF AND/OR BOARD RECOMMENDATION

Fleet Services and the Solid Waste Division recommend the purchase of Four (4) 2026 Autocar ACX64 Side loader refuse trucks with Heil Automated DuraPack Rapid Rail body through Buyboard contract #723-23 from Chastang Enterprises Inc of Houston, Texas for Solid Waste Services.

ATTACHMENTS:

1. FY26 CO-OP Side loaders Resolution (2)
2. FY26 CO-OP Side Loader Refuse Pricing Worksheet
3. FY26 CO-OP Sideloader Addtl Info (1) (2)
4. FY26 CO-OP Sideloader Budget vs Actual (2)
5. FY26 CO-OP Sideloader PiP

BACKUP DOCUMENTATION UPDATED? Yes

UPDATED ON: 10/21/2025

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

TO PURCHASE FOUR 2026 AUTOCAR ACX64 SIDELOADER REFUSE TRUCKS WITH HEIL AUTOMATED DURAPACK RAPID RAIL BODY FROM CHASTANG ENTERPRISES, HOUSTON, TX THROUGH BUYBOARD CO-OPERATIVE CONTRACT #723-23.

WHEREAS, City of Abilene has a need for four Side loader refuse trucks; and

WHEREAS, City of Abilene budgeted for this purchase for four in Fiscal Year 2026; and

WHEREAS, These units will be 2026 Autocar ACX64 with Heil Automated DuraPack Rapid Rail body; and

WHEREAS, City of Abilene received pricing for four 2026 Autocar ACX64 with Heil Automated DuraPack Rapid Rail body through Buyboard Co-Operative Contract #723-23, and

WHEREAS, Chastang Enterprises, Inc is the approved Buyboard vendor for the side loader refuse trucks.

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

PART 1: That the City Council approves this purchase from Chastang Enterprises Inc of Houston, Texas in the amount of One Million, Eight Hundred and Eleven thousand Thirty-Six Dollars and Zero Cents. (\$1,811,036.00) for four 2026 Autocar ACX64 Side loader refuse trucks with Heil Automated DuraPack Rapid Rail body through Buyboard Co-Operative Contract #723-23.

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

ADOPTED this 23rd day October 2025

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



BuyBoard
Cooperative Purchasing

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ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Side Loader Refuse Trucks

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Points	Replacement Reasoning
4690	Solid Waste	2018	ACXR64/DURAPACK	SIDELOADER REFUSE TRUCK	103,616	14,806	\$318,716.56	Auction	3 of 4	Unit met 3 out of 4 required replacement points
4691	Solid Waste	2018	ACXR64/DURAPACK	SIDELOADER REFUSE TRUCK	94,252	11,446	\$298,720.94	Auction	3 of 4	Unit met 3 out of 4 required replacement points
4692	Solid Waste	2018	ACXR64/DURAPACK	SIDELOADER REFUSE TRUCK	85,487	11,376	\$332,356.79	Auction	3 of 4	Unit met 3 out of 4 required replacement points
4693	Solid Waste	2018	ACXR64/DURAPACK	SIDELOADER REFUSE TRUCK	118,691	11,972	\$278,184.37	Auction	3 of 4	Unit met 3 out of 4 required replacement points

BUDGET vs ACTUAL COSTS**Side Loaders**

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance	
4690	4104	Solid Waste Services	Sideloader	\$477,000.00	\$452,759.00	(\$24,241.00)	FY26 budgeted
4691	4104	Solid Waste Services	Sideloader	\$477,000.00	\$452,759.00	(\$24,241.00)	
4962	4104	Solid Waste Services	Sideloader	\$477,000.00	\$452,759.00	(\$24,241.00)	
4693	4104	Solid Waste Services	Sideloader	\$477,000.00	\$452,759.00	(\$24,241.00)	
				\$1,908,000.00	\$1,811,036.00	(\$96,964.00)	Under Budget

Side Loader

10/23/2025





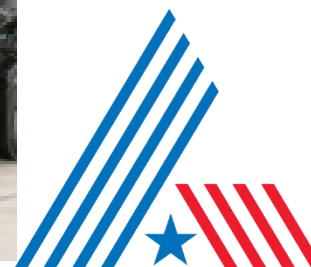
Co-op Side Loader

- Replacing units 4693, 4690, 4691 and 4692 for Solid Waste Services
- Units to be 2026 Autocar ACX64 Chassis with Heil Automated Durapack Rapid Rail Sideloader refuse body.
- Buyboard Co-op purchase through Chastang Enterprises, Inc, Houston, Tx.





Co-op Side Loader



CITY OF
ABILENE
TEXAS



**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Don Green, Director

ITEM: 6. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of One (1) 2024 Takeuchi TB290CL with Cab, Segmented Rubber Tracks and Multiple Attachments from Kirby-Smith Machinery Inc, Abilene, TX for Stormwater Utilities (*Don Green*)

GENERAL INFORMATION

Fleet Services seeks to purchase One (1) 2024 Takeuchi TB290CL with Cab, segmented rubber tracks and multiple attachments from Kirby-Smith Machinery Inc, Abilene, TX through Buyboard contract number 685-22 for Stormwater Utilities. This will be a new budget item needed to perform a variety of functions essential to current and future projects.

FUNDING/FISCAL IMPACT

The funds for the purchase are to be provided by the Fleet Replacement Fund and total \$228,985.17. The funds for this purchase were planned and included in the FY25 Budget Process. The purchase is \$118,985.17 over budget. However, the mini excavator is part of a replacement compromise with Stormwater for their "Spider" that was used to clear steep terrain of ditches and ravines but spent a significant amount of time in the shop than on the job. It was a very complicated machine for the users and the mechanics. Fleet and Stormwater staffs agreed not to purchase another "spider", and instead purchased two robot brush clearing mowers last year (Resolution 030-2025) for \$140,825.00 total. It is intended that the mowers and this excavator together help accomplish the same purpose as the Spider.

About \$480,000 was collected in the Fleet Replacement Fund to replace the Spider. Combined, the mowers (\$140,825.00) and the mini excavator (\$228,985.17) total \$369,810.17. This is about \$110,189.83 below the \$480,000 collected, but the line item for the excavator is more than Fleet budgeted, which is why this is stated as over budget.

STAFF AND/OR BOARD RECOMMENDATION

ATTACHMENTS:

1. FY25 CO-OP Tracked Mini Excavator Resolution
2. FY25 Mini Ex Buyboard_CityofAbileneTB290
3. FY25 CO-OP Mini Ex with attachments Budget vs Actual (2) (1)
4. FY25 CO-OP Mini Ex with Attachments Addtl Info
5. FY26 CO-OP Mini ExPiP
6. 030-2025 - Approving the Purchase of 2 2025 R-60 Remote R-60 Remote Operated Mowers from Kinloch

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

TO PURCHASE ONE 2024 TAKEUCHI TB290CL TRACKED MINI EXCAVATOR WITH ATTACHMENTS FROM KIRBY-SMITH MACHINERY INC, ABILENE, TX THROUGH BUYBOARD CO-OPERATIVE CONTRACT #685-22.

WHEREAS, City of Abilene has a need for one tracked mini excavator with multiple attachments; and

WHEREAS, City of Abilene budgeted for this purchase in Fiscal Year 2025; and

WHEREAS, This unit will be a 2024 Takeuchi TB290CL with Cab, segmented rubber tracks and multiple attachments; and

WHEREAS, City of Abilene received pricing for one 2024 Takeuchi TB290CL with Cab, segmented rubber tracks and multiple attachments through Buyboard Co-Operative Contract #685-22, and

WHEREAS, Kirby-Smith, Inc is the approved Buyboard vendor for the tracked mini excavator.

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

PART 1: That the City Council approves this purchase from Kirby-Smith Inc of Abilene, Texas in the amount of Two Hundred Twenty-Eight Thousand, Nine Hundred Eight-Five Dollars and Seventeen Cents. (\$228,985.17) for one 2024 Takeuchi TB290CL with Cab, segmented rubber tracks and multiple attachments through Buyboard Co-Operative Contract #685-22.

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

ADOPTED this 23rd day October 2025

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



10/7/2025

Quote #: gpipes-0266

Cassandra Lambert
City of Abilene
PO Box 60
Abilene, TX 79604

Dear Cassandra Lambert,

We are pleased to quote the following for your consideration:

TAKEUCHI TB290CL 2024 model w/ 4 hours, Unit # TL24172, S/N 185110423.

The following Factory and Dealer Options are included in the package:

- **TAKEUCHI TB290CL 2024, CAB, SEGMENTED RUBBER TRACKS**

The following Attachments are included:

- **2 TINE MAIN PIN HYDRAULIC THUMB - \$3,367.40**
- **36" BRUSH HOUND FORESTRY MULCHER - \$22,374.00**
- **36" DITCHING BUCKET - \$2,417.07**
- **48" HYDRAULIC TILTING DITCH BUCKET - \$6,744.97**
- **BREX40 PRO MAX FLAIL MOWER - \$12,430**
- **D-LOCK HYDRAULIC COUPLER - \$2,966.25**
- **PH4 HAMMER AND BREAKER - \$21,484.13**
- **PV300 VIBRATORY COMPACTOR PLATE - \$11,255.93**
- **ROTATING DANGLING UTILITY GRAPPLE - \$14,252.92**
- **WERK BRAU 12" HD BUCKET TB290 - \$2,054.34**
- **WERK BRAU 18" HD BUCKET TB290 - \$2,211.41**

Additional Details:

Warranty Details:

- 3 year/3000 hour Takeuchi Premier Warranty

Total Price: \$228,985.17

To be purchased through BuyBoard. Contract #685-22

Contract price is \$149,347.00; less contract discount of 10% (-\$14,934.70);

Plus Freight options and attachemnets of \$94,572.87; New net selling price is \$228,985.17

We believe the equipment as quoted will exceed your expectations. On behalf of Kirby-Smith Machinery, Inc., thank you for the opportunity to quote you this package.

Sincerely,

Gareth Pipes
Territory Manager
Kirby-Smith Machinery, Inc.
Cell: 806-786-9186
Email: GPipes@Kirby-Smith.com

BUDGET vs ACTUAL COSTS**Tracked Mini Excavator**

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance	
NBI	4105	Stormwater Utility	Tracked Mini Excavator with attachments	\$110,000.00	\$228,985.17	\$118,985.17	FY25 budgeted
				\$110,000.00	\$228,985.17	\$118,985.17	Over Budget

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM**Tracked Mini Excavator**

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Points	Replacement Reasoning
NBI	Stormwater Utility	2024	Takeuchi	TB290CL	N/A	N/A	N/A	N/A		New Budget Item

Mini Tracked Excavator

10/23/2025





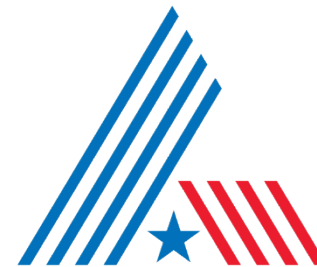
Co-op Mini Tracked Excavator

- To be purchased as a new budget item for Stormwater Services
- Unit to be a 2024 Takeuchi TB2390CL with Segmented rubber tracks and multiple attachments.
- Buyboard Co-op purchase through Kirby-Smith Machinery Inc





Co-op Mini Tracked Excavator



CITY OF
ABILENE
TEXAS

RESOLUTION NO 30-2025

A RESOLUTION OF THE CITY OF ABILENE, TEXAS TO PURCHASE TWO (2) 2025 R-60 REMOTE OPERATED MOWERS FROM KINLOCH, PASADENA TX THROUGH SOURCEWELL CONTRACT #112624-EMB

WHEREAS, City of Abilene has a need for two (2) remote control mowers; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2025; and

WHEREAS, These units are to be a 2025 RC Mowers R-60 remote operated mowers; and

WHEREAS, These units are both new budget items; and

WHEREAS, City of Abilene received pricing for two (2) 2025 RC Mower R-60 remote operated mowers through Sourcewell Co-Operative Contract #112624-EMB; and

WHEREAS, Kinloch is the Sourcewell approved vendor for the Remote Operated Mowers;

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

PART 1: That the City Council approves this purchase from Kinloch of Pasadena, Texas in the amount of One Hundred Forty Thousand Eight Hundred Twenty-Five Dollars and Zero Cents (\$140,825.00) for two (2) 2025 R-60 Remote Operated Mowers.

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

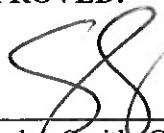
ADOPTED this 13th day March 2025

ATTEST:


Shawna Atkinson, City Secretary


Weldon Hurt, Mayor

APPROVED:


Stanley Smith, City Attorney



**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Don Green, Director

ITEM: 7. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Resolution Requesting TXDOT Approval of a Local On-System Improvement Project (Don Green)

GENERAL INFORMATION

The Texas Department of Transportation (TXDOT) requires a resolution from the City requesting approval of a Local On-System Improvement Project for work within the Highway 36 and Farm-to Market Road (FM) 18 Rights of Way to construct and place the new Airport Access Road and traffic signal.

FUNDING/FISCAL IMPACT

The cost of this work is already included in the design and budget for the road.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends approval.

ATTACHMENTS:

1. TXDOT LOSA Resolution
2. TXDOT LOSA - Attachment A - Airport Access Road Location Map
3. TXDOT LOSA - Attachment B - Airport Access Road Estimated Budget
4. TXDOT LOSA Request Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN AGREEMENT WITH THE TEXAS
DEPARTMENT OF TRANSPORTATION
FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT**

WHEREAS, the City of Abilene will construct a new Airport Access Road that will improve Bonanza Drive at its intersection with Airport Boulevard and extend Bonanza Drive to State Highway 36.

WHEREAS, the City will fund all of the engineering/design and construction costs according to TxDOT specifications and requirements to complete a local on-system improvement project generally described as the design and construction of intersection improvements for traffic signals and turn lanes where Bonanza Drive's extension will enter the right-of-way of State Highway 36 and connect to the FM 18 intersection; and

WHEREAS, the City of Abilene will be responsible for all cost overruns in engineering/design and construction; and

WHEREAS, the City of Abilene will not be responsible for engineering/design or construction costs for improvements to the ROWs, Highway 36, or FM 18 that are not directly related or necessary to this project; and

WHEREAS, the City and the TxDOT desire to enter into an "Agreement for a Local On-System Improvement Project" ("Agreement") for the design and construction of the Project; and

WHEREAS, Attachments A and B are a part of this resolution and depict the road location and the estimated project budget.

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

1. The City Council hereby approves the "Agreement for a Local On-System Improvement Project ('Agreement') for the design and construction of intersection improvements for traffic signals and turn lanes where the city's Bonanza Drive extension will enter the right-of-way of State Highway 36 and connect to the FM 18 intersection. The City shall fund all engineering/design and construction costs according to TxDOT specifications and requirements to complete the Project.
2. The City Council hereby authorizes the City Manager to execute said Agreement and any other necessary documentation on behalf of the City of Abilene, Texas.
3. This Resolution shall be effective immediately upon and after its passage.

ADOPTED 23rd DAY OF OCTOBER 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

CSJ #	
District #	
Code Chart 64 #	
Project Name	

ATTACHMENT B
LOCAL ON-SYSTEM IMPROVEMENT PROJECT BUDGET
(Locally Funded and Performed Project)

The Local Government is responsible for 100% of the costs allocated to it as described below, including overruns.

Description	Estimated Costs	Subtotals
PROJECT PHASES: Work performed by the Local Government or its Consultant or Contractor		
Environmental	\$ N/A	
Right of Way	\$ N/A	
Engineering	\$ 94,300	
Utility Work	\$ N/A	
Construction	\$ 750,000	
Subtotal for Project Phases		\$844,300
DIRECT STATE COSTS:	Paid By: ☐ Local Government ☐ State	
Environmental	\$ N/A	
Right of Way	\$ N/A	
Engineering	\$ N/A	
Utility Work	\$ N/A	
Construction	\$ N/A	
Subtotal for Direct State Costs		\$ N/A
INDIRECT STATE COSTS:	Paid By: ☐ Local Government ☐ State	
Subtotal for Indirect State Costs		\$ N/A
TOTAL ESTIMATED COST OF PROJECT		\$844,300

\$ N/A	Fixed price amount of payment by the Local Government to the State for the State's direct and indirect costs as stated in Article 3, C and D of the Agreement.
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City Council Meeting



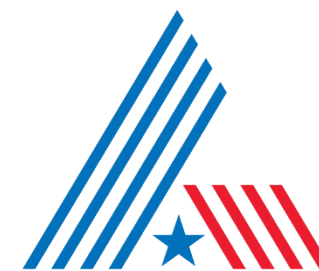
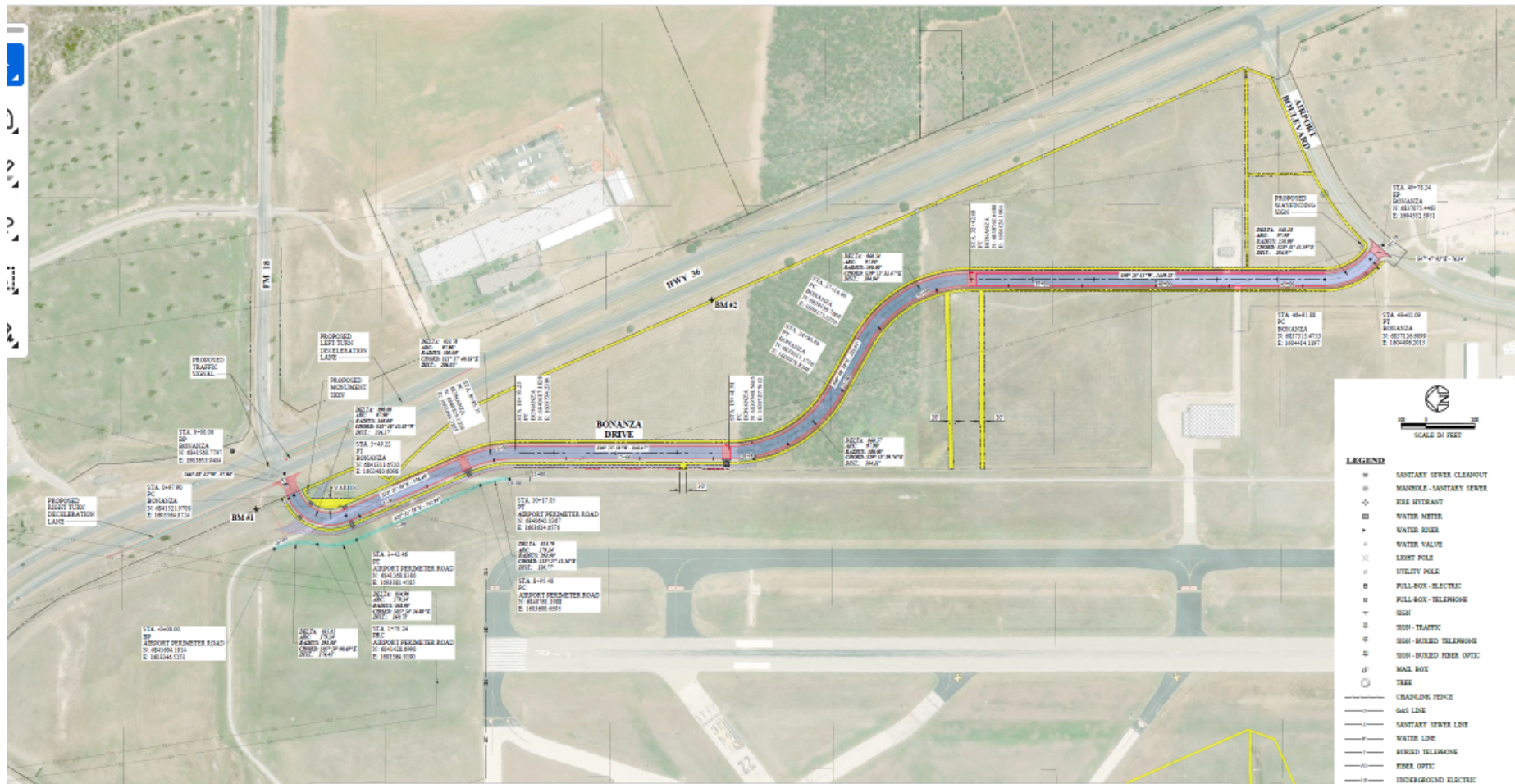


TXDOT Approval of a Local On-System Improvement Project

The Texas Department of Transportation (TXDOT) requires a resolution from the City requesting approval of a Local On-System Improvement Project for work within the Highway 36 and Farm-to-Market Road (FM) 18 Rights-of-Way to construct and place the new Airport Access Road and traffic signal.







CITY OF
ABILENE
TEXAS





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Lesli Andrews, Director

ITEM: 8. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of FF&E (Furniture, Fixtures, & Equipment) for the New Recreation Centers (Cesar Chavez & G.V. Daniels) from Marathon Fitness (Lesli Andrews)

GENERAL INFORMATION

This purchase is for FF&E (furniture, fixtures, and equipment) for the two new recreation centers, César Chávez and G.V. Daniels. The quote is for fitness equipment. The vendor is Marathan Fitness and the purchase will be made through BuyBoard Purchasing Cooperative, Contract #764-25.

The purchase has been reviewed by Buyboard and Purchasing and is approved.

FUNDING/FISCAL IMPACT

\$192,867.72 will be allocated from the 2023 Recreation Centers Bond Fund, part of the \$25,000,000 in total funding.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends approval.

ATTACHMENTS:

1. 28_10_23 Resolution Rec Centers (Chavez and Daniels) FF&E Marathon Fitness
2. COA and Marathon Fitness Chavez Rec Quote
3. COA and Marathon Fitness Daniels Quote
4. 25_10_23 Presentation for Resolution FFE Marathon Fitness Rec Centers

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE PURCHASE OF FURNITURE, FIXTURES, AND EQUIPMENT (FF&E) FOR THE NEW RECREATION CENTERS (CESAR CHAVEZ AND G.V. DANIELS) FROM MARATHON FITNESS THROUGH BUYBOARD PURCHASING COOPERATIVE, CONTRACT #764-25.

WHEREAS, the citizens of Abilene voted to pass a 2023 bond for development of two recreation centers to replace existing Cesar Chavez and GV Daniels Recreation Centers; and

WHEREAS, as in July 2025 a quote was received from Marathon Fitness for the purchase of fitness equipment for both recreation centers in an amount totaling \$192,867.72; and

WHEREAS, the City of Abilene received pricing for Recreation Centers FF&E from Marathon Fitness Buyboard Purchasing Cooperative, Contract #764-25; and

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

Part 1: That the City Council approves this purchase from Marathon Fitness in the amount of \$192,867.72 for FF&E (fixtures, furniture, & equipment) for the new Recreation Centers (Cesar Chavez and G.V. Daniels) through Buyboard Purchasing Cooperative, Contract #764-25.

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

ADOPTED on the 23rd day of October, 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

Marathon Fitness
 PO Box 17705
 Sugar Land, TX 77496-7705
 Tel: (800) 391-9496
 Fax: (888) 240-9360
 www.MarathonFitness.com
 EIN: 68-0544664



Sales Proposal

Date 10/9/2025	Page 1 of 3
Proposal Number QT0046006	

Printed on 10/9/2025 3:49:52 PM

Bill To:

City of Abilene - Cesar Chavez Recreation Center
 633 Walnut St
 Abilene TX 79601-5225

Ship To:

Cesar Chavez Recreation Center
 2250 Ambler Ave
 Abilene TX 79603
 Attn: Chris Gibson
 chris.gibson@abilenetx.gov
 Phone: 325-676-6221

Salesperson		Proposal Valid Until	Pricing Type	Terms	
Jennifer Little		11/8/2025	BB	Net 30	
Qty	Item Number	Description	Unit Price	Sales Price	Extended Price
	NOTE	Cesar Chavez Rec (CARDIO EQUIPMENT)			
4.00	TRM 731-B NP	Precor TRM 731 Treadmill - 120v - P31 Console (Tungsten Shroud/Black Frame)	9,490.00	6,643.00	26,572.00
2.00	EFX 635-B NP	Precor EFX 635 - Dual action w/Adjustable Crossramp - P31 Console (Tungsten Shroud/Black Frame)	7,740.00	5,418.00	10,836.00
1.00	RBK 635-B NP	Precor 635 RBK Recumbent Bike, P31 Console (Tungsten Shroud/Black Frame)	3,720.00	2,604.00	2,604.00
1.00	UBK 635-B NP	Precor 635 UBK Upright Bike, P31 Console (Tungsten Shroud/Black Frame)	3,400.00	2,380.00	2,380.00
3.00	SCL 835-B NP	Precor SCL 835 Climb with Exclusive Dynamic Step Control (120V)P31 Console (Tungsten Shroud/Black Frame)	10,440.00	7,399.35	22,198.05
1.00	2712-US	Concept2 Model D Indoor Rower with PM5(Black)	1,295.00	1,100.75	1,100.75
1.00	05001-HB	NuStep T5 Total Body Recumbent Stepper - 8 Programs	8,125.00	6,500.00	6,500.00
	NOTE	STRENGTH EQUIPMENT			

Continued...

Marathon Fitness
PO Box 17705
Sugar Land, TX 77496-7705
Tel: (800) 391-9496
Fax: (888) 240-9360
www.MarathonFitness.com
EIN: 68-0544664



Sales Proposal

Date 10/9/2025 11:22 AM	Page 2 of 3
Proposal Number QT0046006	

Printed on 10/9/2025 3:49:52 PM

Bill To:

City of Abilene - Cesar Chavez Recreation Center
633 Walnut St
Abilene TX 79601-5225

Ship To:

Cesar Chavez Recreation Center
2250 Ambler Ave
Abilene TX 79603
Attn: Chris Gibson
chris.gibson@abilenetx.gov
Phone: 325-676-6221

Salesperson		Proposal Valid Until	Pricing Type	Terms	
Jennifer Little		11/8/2025	BB	Net 30	
Qty	Item Number	Description	Unit Price	Sales Price	Extended Price
1.00	C027BP	Precor Vitality Leg Extension/Leg Curl (240 lb stack with 5lb add-on system) (Black Frame/Black Upholstery)	4,530.00	3,397.50	3,397.50
1.00	C026BP	Precor Vitality Pulldown/Seated Row (225 lb stack with 7.5 lb add-on system) (Black Frame/Black Upholstery)	4,410.00	3,307.50	3,307.50
1.00	C024BP	Precor Vitality Multi Press (240 lb stack with 5 lb add-onsystem) (Black Frame/Black Upholstery)	4,530.00	3,397.50	3,397.50
NOTE		GROUP EXERCISE EQUIPMENT			
15.00	ACC-EML	TAG Deluxe Eyelets Mat 3/8" x 23" x 71"	52.00	37.44	561.60
10.00	YBLOCK1	Escape Yoga Block - Black	19.00	15.20	152.00
8.00	XERTONE-VL	TAG Stretch Cord - Very Light - Yellow - 3/16"x1/16" x 44"	12.50	9.00	72.00
15.00	XERTONE-L	TAG Stretch Cord - Light - Green - 1/4"x1/16" x 44"	13.70	9.86	147.96
5.00	XERTONE-M	TAG Stretch Cord - Medium - Red - 1/4"x3/32" x 50"	15.50	11.16	55.80
1.00	RCK-MAT-B	TAG Eyelet Mat/Accessory Rack	210.00	151.20	151.20

Continued...

Marathon Fitness
PO Box 17705
Sugar Land, TX 77496-7705
Tel: (800) 391-9496
Fax: (888) 240-9360
www.MarathonFitness.com
EIN: 68-0544664



Sales Proposal

Date 10/9/2025 11:22 AM	Page 3 of 3
Proposal Number QT0046006	

Printed on 10/9/2025 3:49:52 PM

Bill To:

City of Abilene - Cesar Chavez Recreation Center
633 Walnut St
Abilene TX 79601-5225

Ship To:

Cesar Chavez Recreation Center
2250 Ambler Ave
Abilene TX 79603
Attn: Chris Gibson
chris.gibson@abilenetx.gov
Phone: 325-676-6221

Salesperson		Proposal Valid Until		Pricing Type	Terms	
Jennifer Little		11/8/2025		BB	Net 30	
Qty	Item Number	Description		Unit Price	Sales Price	Extended Price

1.00	BUY BOARD 25	BUY BOARD Contract: #764-25 Contract: Athletic, PE & Gym. Supplies H.D. Exercise & Accessories #764-25, Effective Date: 4/1/2025, Expiration Date: 3/31/2028	0.00	0.00
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I accept the terms and conditions of this proposal. Taxes: Federal, state, and local taxes or price increases by manufacturers or vendors arising from or attributed to tariff's (unless otherwise shown on the quotation), are not included and are the Buyer's responsibility. Marathon Fitness may bill the Buyer separately at any time for any such charge as Marathon Fitness may be requested to collect or pay. Equipment remains the property of Marathon Fitness until paid in full.

Mastercard, American Express, or VISA are accepted and subject to a 3% convenience fee.

Signature: _____ Date: _____ PO# _____

Printed Name: _____ Title _____

DELIVERY INSTRUCTIONS:

Requested delivery ____/____/____ Loading Dock Yes ____ No ____

Subtotal	\$ 83,433.86
Freight	\$ 7,777.50
Installation	\$ 5,222.50
Sales Tax	\$ 0.00
Total	\$ 96,433.86



Marathon Fitness
PO Box 17705
Sugar Land, TX 77496-7705
Tel: (800) 391-9496
Fax: (888) 240-9360
www.MarathonFitness.com
EIN: 68-0544664



Sales Proposal

Date 10/9/2025 11:07 AM	Page 1 of 3
Proposal Number QT0046007	

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Bill To:

City of Abilene - G.V. Daniels Recreation Center
633 Walnut St
Abilene TX 79601-5225

Ship To:

G.V. Daniels Recreation Center
541 N 8th St
Abilene TX 79601-4324
Attn: Chris Gibson
chris.gibson@abilenetx.gov
Phone: 325-676-6221

Salesperson		Proposal Valid Until	Pricing Type	Terms	
Jennifer Little		11/8/2025	BB	Net 30	
Qty	Item Number	Description	Unit Price	Sales Price	Extended Price
	NOTE	G.V. Daniels Rec Center (CARDIO EQUIPMENT)			
4.00	TRM 731-B NP	Precor TRM 731 Treadmill - 120v - P31 Console (Tungsten Shroud/Black Frame)	9,490.00	6,643.00	26,572.00
2.00	EFX 635-B NP	Precor EFX 635 - Dual action w/Adjustable Crossramp - P31 Console (Tungsten Shroud/Black Frame)	7,740.00	5,418.00	10,836.00
1.00	UBK 635-B NP	Precor 635 UBK Upright Bike, P31 Console (Tungsten Shroud/Black Frame)	3,400.00	2,380.00	2,380.00
1.00	RBK 635-B NP	Precor 635 RBK Recumbent Bike, P31 Console (Tungsten Shroud/Black Frame)	3,720.00	2,604.00	2,604.00
3.00	SCL 835-B NP	Precor SCL 835 Climb with Exclusive Dynamic Step Control (120V)P31 Console (Tungsten Shroud/Black Frame)	10,440.00	7,399.35	22,198.05
1.00	2712-US	Concept2 Model D Indoor Rower with PM5(Black)	1,295.00	1,100.75	1,100.75
1.00	05001-HB	NuStep T5 Total Body Recumbent Stepper - 8 Programs	8,125.00	6,500.00	6,500.00
	NOTE	STRENGTH EQUIPMENT			

Continued...

Marathon Fitness
PO Box 17705
Sugar Land, TX 77496-7705
Tel: (800) 391-9496
Fax: (888) 240-9360
www.MarathonFitness.com
EIN: 68-0544664



Sales Proposal

Date 10/9/2025 11:07 AM	Page 2 of 3
Proposal Number QT0046007	

Printed on 10/9/2025 3:51:33 PM

Bill To:

City of Abilene - G.V. Daniels Recreation Center
633 Walnut St
Abilene TX 79601-5225

Ship To:

G.V. Daniels Recreation Center
541 N 8th St
Abilene TX 79601-4324
Attn: Chris Gibson
chris.gibson@abilenetx.gov
Phone: 325-676-6221

Salesperson		Proposal Valid Until	Pricing Type	Terms	
Jennifer Little		11/8/2025	BB	Net 30	
Qty	Item Number	Description	Unit Price	Sales Price	Extended Price
1.00	C027BP	Precor Vitality Leg Extension/Leg Curl (240 lb stack with 5lb add-on system) (Black Frame/Black Upholstery)	4,530.00	3,397.50	3,397.50
1.00	C026BP	Precor Vitality Pulldown/Seated Row (225 lb stack with 7.5 lb add-on system) (Black Frame/Black Upholstery)	4,410.00	3,307.50	3,307.50
1.00	C024BP	Precor Vitality Multi Press (240 lb stack with 5 lb add-onsystem) (Black Frame/Black Upholstery)	4,530.00	3,397.50	3,397.50
NOTE		GROUP EXERCISE EQUIPMENT			
15.00	ACC-EML	TAG Deluxe Eyelets Mat 3/8" x 23" x 71"	52.00	37.44	561.60
10.00	YBLOCK1	Escape Yoga Block - Black	19.00	15.20	152.00
8.00	XERTONE-VL	TAG Stretch Cord - Very Light - Yellow - 3/16"x1/16" x 44"	12.50	9.00	72.00
15.00	XERTONE-L	TAG Stretch Cord - Light - Green - 1/4"x1/16" x 44"	13.70	9.86	147.96
5.00	XERTONE-M	TAG Stretch Cord - Medium - Red - 1/4"x3/32" x 50"	15.50	11.16	55.80
1.00	RCK-MAT-B	TAG Eyelet Mat/Accessory Rack	210.00	151.20	151.20

Continued...

Marathon Fitness
PO Box 17705
Sugar Land, TX 77496-7705
Tel: (800) 391-9496
Fax: (888) 240-9360
www.MarathonFitness.com
EIN: 68-0544664



Sales Proposal

Date 10/9/2025 11:07 AM	Page 3 of 3
Proposal Number QT0046007	

Printed on 10/9/2025 3:51:33 PM

Bill To:

City of Abilene - G.V. Daniels Recreation Center
633 Walnut St
Abilene TX 79601-5225

Ship To:

G.V. Daniels Recreation Center
541 N 8th St
Abilene TX 79601-4324
Attn: Chris Gibson
chris.gibson@abilenetx.gov
Phone: 325-676-6221

Salesperson		Proposal Valid Until	Pricing Type	Terms	
Jennifer Little		11/8/2025	BB	Net 30	
Qty	Item Number	Description	Unit Price	Sales Price	Extended Price

1.00	BUY BOARD 25	BUY BOARD Contract: #764-25 Contract: Athletic, PE & Gym. Supplies H.D. Exercise & Accessories #764-25, Effective Date: 4/1/2025, Expiration Date: 3/31/2028		0.00	0.00
------	--------------	---	--	------	------

I accept the terms and conditions of this proposal. Taxes: Federal, state, and local taxes or price increases by manufacturers or vendors arising from or attributed to tariff's (unless otherwise shown on the quotation), are not included and are the Buyer's responsibility. Marathon Fitness may bill the Buyer separately at any time for any such charge as Marathon Fitness may be requested to collect or pay. Equipment remains the property of Marathon Fitness until paid in full.

Mastercard, American Express, or VISA are accepted and subject to a 3% convenience fee.

Signature: _____ Date: _____ PO# _____

Printed Name: _____ Title _____

DELIVERY INSTRUCTIONS:

Requested delivery ____/____/____ Loading Dock Yes____ No____

Subtotal	\$ 83,433.86
Freight	\$ 7,777.50
Installation	\$ 5,222.50
Sales Tax	\$ 0.00
Total	\$ 96,433.86



Resolution: Purchase of FF&E (furniture, fixtures and equipment) for the new recreation centers





General Information:

- Purchase is for FF&E (furniture, fixtures and equipment) for the new recreation centers (Cesar Chavez and G.V. Daniels).
- Quote includes cardio, strength and group exercise equipment for each center.
- Vendor is Marathon Fitness.
- Purchase to be made through Buyboard Purchasing Cooperative, Contract#764-25
- The total cost of the contract is \$192,867.72 to be funded from 2023 Recreation Center Bond fund.





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Troy Swanson, IT Director

ITEM: 9. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of a Microsoft Enterprise License Agreement from SHI (*Troy Swanson*)

GENERAL INFORMATION

The Information Technology (IT) Department, will require a Microsoft Enterprise License Agreement (ELA) to support the Microsoft tenant/environment from SHI to satisfy the City's requirements. These services will be provided for three years at the annual rate of \$628,937.88 and have been budgeted for in the IT Department Technology Planning Fund in fiscal year 2026. Subsequent years will be subject to appropriation. These services will be acquired via the Texas Contract No. DIR-CPO-5237 in the not to exceed amount of \$1,898,813.64.

FUNDING/FISCAL IMPACT

The Information Technology Department has the 2026 funds budgeted for these services.

STAFF AND/OR BOARD RECOMMENDATION

The IT Department recommends approval of this acquisition of services.

ATTACHMENTS:

1. 20251023 - CoA Council - Resolution - SHI - MS ELA
2. SHI Quote-26674617
3. 20251023 - City Council - Presentation - SHI - MS ELA

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

RESOLUTION NO. 2025-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS TO
ACQUIRE A MICROSOFT ENTERPRISE LICENSE AGREEMENT FROM SHI THROUGH
THE TEXAS DIR-CPO-5237 CONTRACT**

WHEREAS, the City Council of the City of Abilene recognizes the need for Microsoft Enterprise License Agreement (ELA) to support the Microsoft tenant/environment; and

WHEREAS, the Information Technology Department has identified the subscription services from SHI through the Texas DIR-CPO-5237 Contract; and

WHEREAS, those subscription services will provide for three years of licensing for the Microsoft system; and

WHEREAS, those subscription services will have an annual cost of \$628,937.88, and the IT Department has the budget and funding for these services in fiscal year 2026 and subsequent years will be subject to appropriation and funding; and

WHEREAS, this acquisition will be accomplished for a not-to-exceed amount of \$1,898,813.64 and these funds will be made available as part of the IT Department Technology Planning fund; and

WHEREAS, it is the staff's recommendation that the City Council endorses the Information Technology Department's acquisition of subscription services from SHI; and

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

Part 1: That the City Council approves the acquisition of subscription services from SHI for the not-to-exceed amount of \$1,898,813.64

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

ADOPTED this 23rd day of October, 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



Pricing Proposal

Quotation #: 26674617

Reference #: EA - 90462358 - As Is Renewal

Created On: 9/24/2025

Valid Until: 10/31/2025

TX-City of Abilene

Doug Futrell

Abilene, TX 79601

United States

Phone:

Fax:

Email: Douglas.futrell@abilenetx.gov

Microsoft Inside Account Manager

Vivien Cruz

290 Davidson Ave.

Somerset, NJ 08873

Phone: 732-868-5926

Fax:

Email: vivien_cruz@shi.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	M365 G3 Unified FUSL GCC Sub Per User Microsoft - Part#: AAD-34704 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	1110	\$391.32	\$434,365.20
2	M365 G5 GCC Sub Per User Microsoft - Part#: AAL-45735 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	18	\$619.68	\$11,154.24
3	Entra ID P2 Gov Sub Per User Microsoft - Part#: MQN-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	1025	\$84.00	\$86,100.00
4	Exchange Online P2 GCC SU Exchange Online Kiosk Per User Microsoft - Part#: 3NS-00004 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	1	\$52.32	\$52.32
5	M365 F3 Unified GCC Sub Per User Microsoft - Part#: AAD-63092 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	920	\$84.96	\$78,163.20
6	Planner & Project P3 GCC Sub Per User Microsoft - Part#: 7MS-00001	10	\$277.68	\$2,776.80

Contract Name: Adobe/Microsoft Software & Related Services

Contract #: DIR-CPO-5237

Coverage Term: 12/1/2025 – 11/30/2026

Note: 12 months, Year 1 of 3 Commitment

7	Power Apps Premium GCC Sub Per User Microsoft - Part#: SEL-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	10	\$217.44	\$2,174.40
8	Power BI Pro GCC Sub Per User Microsoft - Part#: DDJ-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	20	\$101.76	\$2,035.20
9	Teams AC with Dial Out US/CA GCC Sub Add-on Microsoft - Part#: NYH-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	2030	\$0.00	\$0.00
10	Teams Phone with Calling GCC Sub Per User Microsoft - Part#: 8N4-00004 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	48	\$179.88	\$8,634.24
11	Teams Premium GCC Sub Per User Microsoft - Part#: WFK-00004 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	12	\$120.00	\$1,440.00
12	Visio P2 GCC Sub Per User Microsoft - Part#: P3U-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	12	\$139.44	\$1,673.28
13	Visual Studio Pro MSDN ALng SA Microsoft - Part#: 77D-00111 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 12/1/2025 – 11/30/2026 Note: 12 months, Year 1 of 3 Commitment	1	\$369.00	\$369.00

Subtotal \$628,937.88

*Tax \$0.00

Total \$628,937.88

*Tax is estimated. Invoice will include the full and final tax due.

Additional Comments

Due to the potential impact of any current or future tariffs, the price and availability of hardware items on this quote may be subject to change.

This quote has been marked as budgetary, as certain pricing may require approval from Microsoft. Please note, SHI is unable to process Purchase Orders against budgetary quotes. Kindly reach out to your SHI sales team for a Final Quote once you have determined your required counts and licenses.

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

Microsoft

Enterprise License Agreement (ELA)

October 23, 2025





Enterprise License Agreement (ELA)

Subscription Service Requirement:

- This provides for the Microsoft system annual licensing
- These subscription services are available for three years from SHI through the Texas DIR-CPO-5237 Contract and will be acquired in the not-to-exceed amount of \$1,898,813.64
 - These services will be invoiced and paid annually at \$628,937.88 over the three years
- This acquisition will be funded through the IT Department Technology Planning fund
 - The IT Department has the fiscal year 2026 funds available for this acquisition
 - Year two through three will be subject to appropriation and funding
- This is a planned expense for Microsoft licensing

IT Department Recommendation

- Staff endorses the requested approval and acquisition of subscription services required in the not-to-exceed amount of \$1,898,813.64



Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Troy Swanson, IT Director

ITEM: 10. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval of the Acquisition of Cisco Wireless Access Points and Products from CDW-G (*Troy Swanson*)

GENERAL INFORMATION

The Information Technology (IT) Department, will require Cisco wireless access points and products support the implementation of a wireless infrastructure from CDW-Government to satisfy the City's requirements. These services will be acquired via the Texas DIR-CPO-5347 Contract in the not to exceed amount of \$156,018.79.

FUNDING/FISCAL IMPACT

The cyber event Minor Improvement Project (MIP) fund will be used to fund this acquisition. This requirement was recognized as an expense associated with this event.

STAFF AND/OR BOARD RECOMMENDATION

The IT Department recommends approval of this acquisition of services.

ATTACHMENTS:

1. CoA Council - Resolution - CDW - Cisco APs
2. PQMM145
3. 20251023 - City Council - Presentation - CDW

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

RESOLUTION NO. 2025-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS TO
ACQUIRE CISCO WIRELESS ACCESS POINTS AND PRODUCTS FROM CDW-G THROUGH
THE TEXAS DIR-CPO-5347 CONTRACT**

WHEREAS, the City Council of the City of Abilene recognizes the need for Cisco wireless access points and products to implement a new wireless infrastructure; and

WHEREAS, the Information Technology Department has identified the availability of the necessary equipment and services from CDW-Government through the Texas DIR-CPO-5347 Contract; and

WHEREAS, those products and services will provide for the implementation of a new wireless infrastructure system to replace the loaned wireless equipment in place; and

WHEREAS, this acquisition will be accomplished for a not-to-exceed amount of \$156,018.79 and these funds will be made available as part of the cyber event minor improvement fund; and

WHEREAS, it is the staff's recommendation that the City Council endorses the Information Technology Department's acquisition of products from CDW-Government; and

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

Part 1: That the City Council approves the acquisition of products from CDW-Government for the not-to-exceed amount of \$156,018.79 in fiscal year 2026

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

ADOPTED this 23rd day of October, 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney



Thank you for choosing CDW. We have received your quote.

Hardware Software Services IT Solutions Brands Research Hub

QUOTE CONFIRMATION

DOUG FUTRELL,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
PQMM145	10/15/2025	CISCO AP SCENARIO 1	0363833	\$156,018.79

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Cisco Catalyst 9163E - wireless access point - Wi-Fi 6E, Bluetooth - cloud- Mfg. Part#: CW9163E-MR Catalyst 9163E AP(W6E, tri-band 2x2,Outdoor) w/MERAKI Contract: TXDIR - Cisco DIR-CPO-5347 (DIR-CPO-5347)	12	7718453	\$883.44	\$10,601.28
Cisco 2.4 5 6GHz Omnidirectional Dipole External Antenna for CW9163E Access Mfg. Part#: CW-ANT-O1-NS-00 4/8/8 dBi Omni Dipole, N connector, Catalyst and Meraki Contract: TXDIR - Cisco DIR-CPO-5347 (DIR-CPO-5347)	48	7718456	\$96.36	\$4,625.28
Cisco Meraki antenna Mfg. Part#: CW-ANT-GPS2-S-00 GPS/GNSS Antenna, Outdoor, SMA connector,Catalyst and Meraki Contract: TXDIR - Cisco DIR-CPO-5347 (DIR-CPO-5347)	12	7812883	\$131.05	\$1,572.60
Cisco Meraki - PoE injector Mfg. Part#: MA-INJ-6 Meraki mGig 802.3bt PoE Injector (Power Cord Not Included) Contract: TXDIR - Cisco DIR-CPO-5347 (DIR-CPO-5347)	12	6622405	\$171.94	\$2,063.28
Cisco Wireless 9176I - Ready To Go - wireless access point - Wi-Fi 7, Bluet Mfg. Part#: CW9176I-RTG Cisco Wireless 9176I(W7,3 radio,3 band 4x4,UWB),Global Contract: TXDIR - Cisco DIR-CPO-5347 (DIR-CPO-5347)	163	8151135	\$841.45	\$137,156.35

SUBTOTAL	\$156,018.79
SHIPPING	\$0.00
SALES TAX	\$0.00
GRAND TOTAL	\$156,018.79

PURCHASER BILLING INFO	DELIVER TO
Billing Address: CITY OF ABILENE ACCOUNTING DIVI PO BOX 60 ABILENE, TX 79604-0060 Phone: (325) 676-6200 Payment Terms: Net 30 Days-Govt State/Local	Shipping Address: CITY OF ABILENE INFORMATION TEC 555 WALNUT ST RM B07/B13 ABILENE, TX 79601-5254 Shipping Method: DROP SHIP-GROUND
	Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



Sales Contact Info

Monica Liwag | 800.808.4239 | monica.liwag@cdwg.com

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Support



Call 800.800.4239

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This order is subject to CDW's Terms and Conditions of Sales and Service Projects at

<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>

For more information, contact a CDW account manager.

Cisco

BY PLACING AN ORDER FOR ABOVE PRODUCTS, Customer acknowledges and agrees: (1) that it is receiving the Cisco Products and Services directly from Cisco Systems, Inc. ("Cisco") and hereby agrees to the Cisco's terms and conditions ("Cisco Terms"), which can be found at Cisco's Customer Contract Experience site at the following URL: <https://www.cisco.com/site/us/en/about/legal/contract-experience/index.html>, which includes Cisco's General Terms at the following URL:

https://www.cisco.com/c/dam/en_us/about/doing_business/legal/Cisco_General_Terms.pdf, and the Offer Descriptions at the following URL:

<https://www.cisco.com/c/en/us/about/legal/cloud-and-software/software-terms.html#offer-descriptions-product>, and (2) that Cisco or its affiliates and not Seller will be responsible for the performance of the Cisco Products and Services.

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Wireless Infrastructure

Cisco Access Points

October 23, 2025





Wireless Infrastructure Products

Wireless Infrastructure Requirement:

- This wireless access points provide for and replaces the current loaned equipment
- This network system is available from CDW Government through the Texas DIR-CPO-5347 Contract and will be acquired in the not-to-exceed amount of \$156,018.79
- This acquisition will be funded through the cyber event Minor Improvement Project fund and was recognized as a projected expense
- All expenses related to the cyber event, including these products and services, will be sought as claimable expenses against the insurance policy

IT Department Recommendation

- Staff endorses the requested approval and acquisition of network switching and security products and services required in the not-to-exceed amount of \$156,018.79



Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Annette Lerma, Director

ITEM: 11. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve a Resolution to Appoint the Child Advocacy Director as the Authorized Official for the OVAG Grant (Annette Lerma)

GENERAL INFORMATION

We would like to appoint Cynthia Vause, CAC Director and division manager for the Child Advocacy Center, as the authorized official for the OVAG grant. The CAC Director currently serves as the AO for the other two state grants and this would ease the administrative burden on city management and director-level staff to sign all official documents sent to the state for the purpose of reporting and request for reimbursement.

FUNDING/FISCAL IMPACT

no funding impact

STAFF AND/OR BOARD RECOMMENDATION

approval

ATTACHMENTS:

1. Resolution of Governing Body_CAC_OVAG_FY26
2. City Council Presentation_CAC OVAG_October 23 2025

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

RESOLUTION OF GOVERNING BODY
REQUIRED TO BE SUBMITTED WITH THE
APPLICATION BY 5:00 P.M. CDT, FRIDAY, MARCH
14, 2025.

IF THE TIMING OF THE APPLICATION DUE DATE AND REQUIREMENTS OF THE TEXAS
OPEN MEETINGS ACT OR OTHER REQUIREMENTS PREVENT THE GOVERNING BODY
FROM REVIEWING AND APPROVING THE RESOLUTION, THEN IT MAY BE SUBMITTED
TO THE OAG AFTER THE DUE DATE.

LEGAL NAME OF APPLICANT ENTIRY: Abilene Taylor County Child Advocacy Center

- Nonprofits should list their Legal Name as registered with Secretary of State Office.
- Governmental entities should list their name as designated by the OAG in GOALS.

APPLICATION REFERENCE IDNUMBER FROM GOALS: 2026-8115829454

Be it known as follows:

WHEREAS, the Abilene Taylor County Child Advocacy Center has applied or
wishes to apply to the Office of the Attorney General (OAG) for the following grant program
(initialone):

CV Other Victim Assistance Grant (OVAG)
_____ Victim Coordinator and Liaison Grant (VCLG)

WHEREAS, the Abilene City Council, has considered and supports the Application filed or to be filed
with the OAG;

WHEREAS, the Abilene Taylor County Child Advocacy Center, has
designated or wishes to designate the following individual as the “Authorized Official” who is given
or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the
OAG, as well as given the authority to sign all grant adjustment requests, inventory reports, progress
reports and financial reports or any other official documents related to the grant on behalf of the
grantee:

Name of Person Designated as “Authorized Official”: Cynthia Vause

Position Title: Executive Director

NOW THEREFORE, BE IT RESOLVED that this governing body approves the submission of
the Application to the OAG, as well as the designation of the Authorized Official.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney

Other Victims Assistance Grant (OVAG) on Behalf of the Child Advocacy Center

October 23, 2025





Purpose of Request

- Previous resolution in March 2025 was to remove Robert Hanna and appoint Mindy Patterson as the grant Authorized Official (AO)
- Since Ms. Patterson's retirement, must appoint new AO
- City manager authorizes Cynthia Vause, CAC Director, to serve as the AO
- OVAG grant is not new, however, the grantor requires new appointment to be approved by the governing body which is the reason it comes to council
- Current contract term is 9/1/25 to 8/31/27. Reapplication required in March 2027.





OVAG Funding

- State grant provided through the Office of the Attorney General
- Intended to meet needs of victims by maintaining or increasing access to quality services
- Two-year grant cycle totaling \$99,000 split equally by year
- No city match required
- Grantor requires resolution by the governing body to authorize application for funding.





OVAG

- Funding supports two victim advocacy staff who assist families in applying for Crime Victim Compensation, accompanying victims to court, among other support services.
- Supports the collaboration of multi-disciplinary teams throughout the investigative process.





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Max Johnson, Director of Public Works
ITEM: 12. Resolution: Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2601 Texas Ave. Culvert Replacement Project to Bontke Brothers Construction Co., Inc. (Max Johnson)

GENERAL INFORMATION

This construction contract involves the reconstruction of an existing drainage structure under Texas Ave. approximately 300' West of US HWY 277. This contract will involve removal and replacement of the existing pavement above the pipes as well as the existing reinforced concrete pipes that have shifted and failed. The Contractor will need to coordinate with the Water Utilities Department for the replacement of an existing sewer main on the South end of the pipes. The replacement drainage structure will be a cast in place concrete box culvert topped with cement stabilized base and a concrete driving surface with HMAC tie-ins. The contract shall also include placement of thermoplastic pavement markings on the project and an add alternate has been included for a temporary signal system (3 temporary units) for the detour necessitated by the closure of Texas Ave. for the repair.

FUNDING/FISCAL IMPACT

Funding for this project will be through the Streets Maintenance Fee Funds.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction Co., Inc. of Abilene, Texas with a base bid amount of \$257,412.20 and an add alternate bid amount of \$24,000.00 for a total bid of \$281,412.20.

ATTACHMENTS:

1. Texas Ave. Culvert Replacement Project Resolution
2. Texas Ave. Culvert Replacement (Bontke)
3. CB2601TAB
4. SCOPE OF PROJECT
5. PROJECT LOCATION MAP
6. Texas Culvert Replacement Score
7. Texas Ave. Culvert Replacement Presentation - 10-14-2025

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED
BID TO BONTKE BROTHERS CONSTRUCTION CO., INC., ABILENE, TEXAS**

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the Texas Ave. Culvert Replacement (Between Denton St. and US HWY 277 S.); and

WHEREAS, the project involves the removal of existing pavement, pipes, and headwalls and placement of new culverts, pavement, and headwalls: and

WHEREAS, the project also included an add alternate for inclusion of temporary traffic signals for a traffic detour: and

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

WHEREAS, the following bids were received and opened on October 7, 2025:

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Alternate</u>
Bontke Brothers Construction Co., Inc., Abilene, Texas	\$257,412.20	\$24,000.00
J.H. Strain & Sons Inc., Tye, Texas	\$327,553.50	\$51,000.00

WHEREAS, Bontke Brothers Construction Co., Inc., Abilene, Texas submitted the best value bid total in the amount of \$281,412.20 with the bid meeting specifications. Staff recommends awarding the base bid and the add alternate bid to the best value bidder, Bontke Brothers Construction Co., Inc., Abilene, Texas.

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

PART 1: That the City Council approves this bid in the amount of \$281,412.20.

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

ADOPTED this 23rd day of October, 2025.

ATTEST:

Shawna Atkins, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the 23rd day of October, 2025 is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Bontke Brothers Construction Co., Inc. of the City of Abilene, State of Texas. ("Contractor").

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

THE AGREEMENT

1. **Work and Consideration.** hereby agrees to commence and complete the construction of Work required in the Contract Documents -- incorporated herein by reference --

TEXAS AVE. CULVERT REPLACEMENT (BETWEEN DENTON ST. AND US HWY 277 S)

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

In consideration of this Work, the City will pay the Contractor the sum of \$281,412.20

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

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

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

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

6. **Indemnity.**

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

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

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

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

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

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

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

B. Indemnity

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

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

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

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

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

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

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

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

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

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

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

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

11. Statutory Verifications. Unless the Contractor is not subject to a provision below, the signatory executing this Agreement on behalf of the Contractor verifies that the Contractor: (1) does not boycott Israel and will not boycott Israel during the term of this Agreement; (2) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, and will not discriminate during the term of this Agreement against a firearm entity or firearm trade association; (3) does not boycott energy companies, and will not boycott energy companies during the term of this Agreement; and (4) is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

A. Verification Against Boycott of Israel Provision. In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a company for the provision of goods or services unless the agreement contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. The term "company" does not include a sole proprietorship. Chapter 2271 of the Texas Government Code only applies to an agreement that: (1) is between a governmental entity and a company with 10 or more full-time employees; and (2) has a value of \$100,000.00 or more that is paid wholly or partly from public funds of the governmental entity.

B. Verification Against Discrimination of Firearm or Ammunition Industries Provision. Pursuant to Texas Government Code Chapter 2274, unless otherwise exempt, if the company employs at least 10 full-time employees, and this agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company verifies that: (1) the company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the company will not discriminate during the term of the Agreement against a firearm entity or firearm trade association. The term "company" does not include a sole proprietorship. This provision does not apply to a governmental entity that contracts with a sole-source provider, or does not receive any bids from a company that is able to provide the written verification required.

C. Verification Against Boycott of Energy Companies Provision. Pursuant to Texas Government Code Chapter 2276, unless otherwise exempt, if the company employs at least 10 full-time employees, and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company represents that: (1) the company does not boycott energy companies; and (2) the company will not boycott energy companies during the term of this Agreement. The term "company"

does not include a sole proprietorship. This provision does not apply to a governmental entity that determines the requirements are inconsistent with the governmental entity's constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds.

D. Prohibition on Contracts with Certain Companies Provision. In accordance with Section 2252.152 of the Texas Government Code, the company verifies that company is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

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

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

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

CONTRACTOR

Name of Contractor:

Bontke Brothers Construction Company, inc.


Signature

Brent Partain

Name - Typed or Printed

Project Executive

Title - Typed or Printed

Business Address:

102 college drive

Abilene, TX

325-677-6270

Business Phone No.

75-1331325

Federal Tax I.D.#

ATTEST: (If Corporation)

Corporate Secretary's Signature

Corporate Seal
(if none, write "None")

CITY OF ABILENE

Authorized Signature

APPROVED:

City Attorney

ATTEST:

City Secretary

Seal:

CITY OF ABILENE PURCHASING DIVISION TABULATION OF BIDS		PAGE 1 OF 1
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11

BONTKE BROTHERS
ABILENE, TX

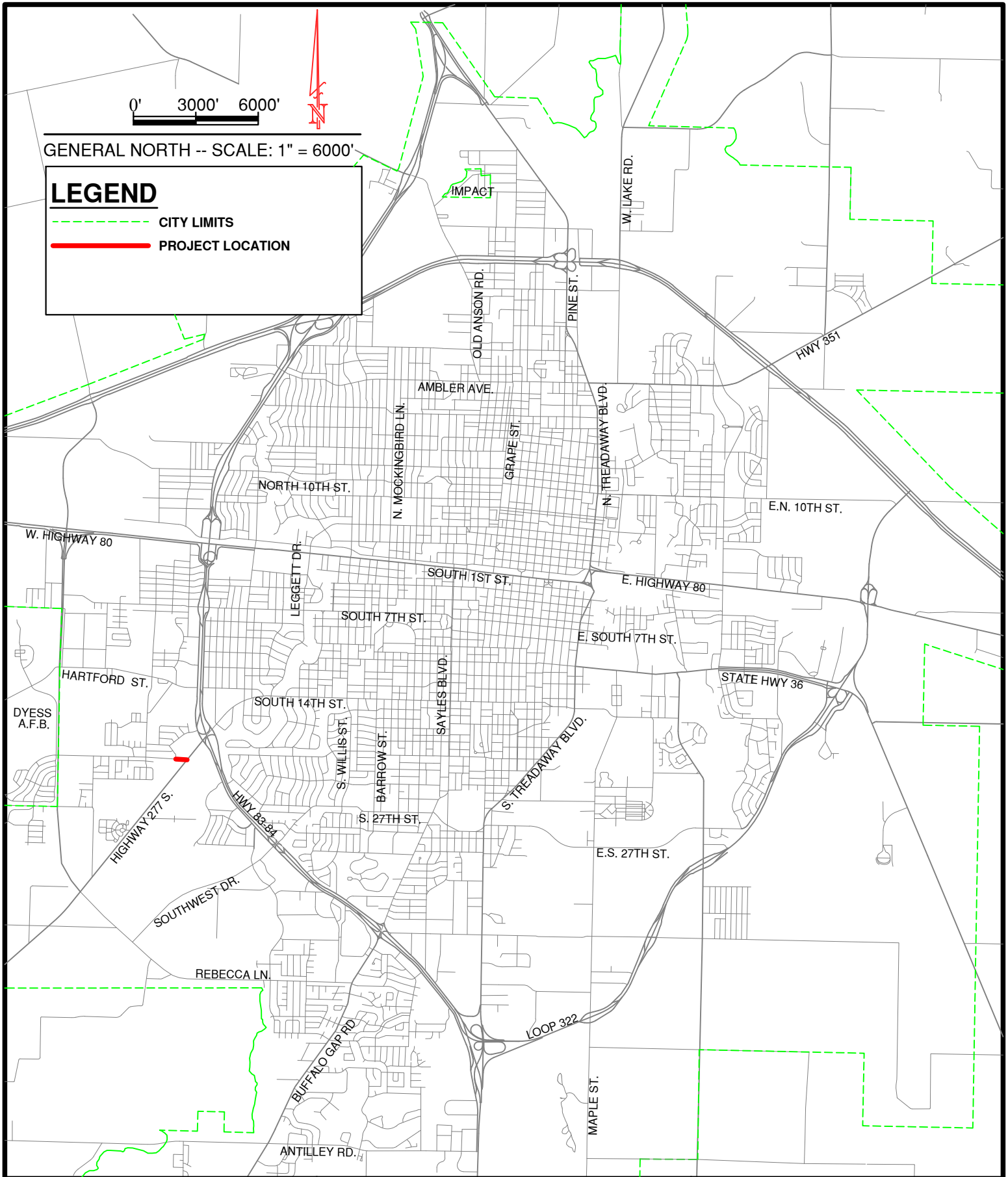
J.H. STRAIN
ABILENE, TX

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*NOTES: INDICATES RECOMMENDED AWARD

SCOPE OF PROJECT

This construction contract involves the reconstruction of an existing drainage structure under Texas Ave. approximately 300' West of US HWY 277. This contract will involve removal and replacement of the existing pavement above the pipes as well as the existing reinforced concrete pipes that have shifted and failed. The Contractor will need to coordinate with the Water Utilities Department for the replacement of an existing sewer main on the South end of the pipes. The replacement drainage structure will be a cast in place concrete box culvert topped with cement stabilized base and a concrete driving surface with HMAC tie-ins. The contract shall also include placement of thermoplastic pavement markings on the project and an add alternate has been included for a temporary signal system (3 temporary units) for the detour necessitated by the closure of Texas Ave. for the repair.



GENERAL NORTH -- SCALE: 1" = 6000'

LEGEND

CITY LIMITS

PROJECT LOCATION

Sheet 1 Of 1	CITY OF ABILENE, TEXAS	TEXAS AVE. CULVERT REPLACEMENT (DENTON ST. TO US HWY 277 S.) PROJECT	Designed By: M. MILLER	Horizontal Scale: 1"=6000'	Computer File Name: Project Location Map
	PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION		Drawn By: M. MILLER		
			Checked By: M. JOHNSON	Date: OCT. 2025	

	City of Abilene											
	Best Value Competitive Bidding Process Review											
	Date:											
	Name of Project Texas Ave. Culvert Replacement											
Rank												
	Company Name/ Description	Price (0 to 6 Points)	Offeror's experience and reputation (0 to 2 Points)	Quality of the offeror's goods or services; (0 to 2 Points)	Impact on the ability of the City of Abilene to comply with rules relating to historically underutilized businesses (0 to 2 Points)	Offeror's safety record (0 to 2 Points)	Offeror's proposed personnel (0 to 2 Points)	Whether the offeror's financial capability is appropriate to the size and scope of the project (0 to 2 Points)	Offeror's past working relationship with the City of Abilene. (0 to 2 Points)			
1	Bontke Brothers Construction Co., Inc.	6	2	2	2	2	2	2	2	Score:	20	
2	J.H. Strain & Sons, Inc.	4	2	2	2	2	2	2	2		18	
3												
4												
5												
6												
7												
8												
	Final Rank	Bontke - 20										
		2 - J.H. Strain - 18										
	Bidder's											

Bid Award of CB-2601 Texas Ave. Culvert Replacement (Denton St. to US HWY 277 S.)

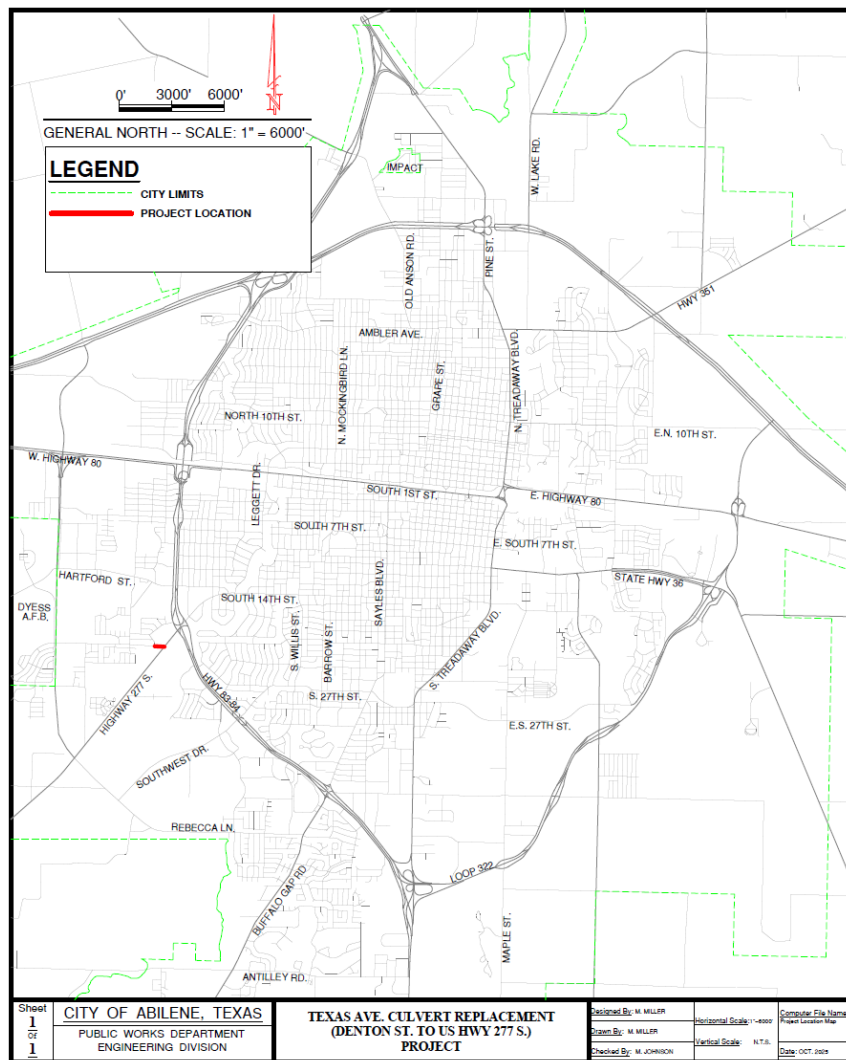
(Max Johnson)





Bid Award of CB-2601

Texas Ave. Culvert Replacement (Denton St. to US HWY 277 S.)



Limits

Texas Ave. from Denton St. to US HWY 277 S.





Bid Award of CB-2601

Texas Ave. Culvert Replacement (Denton St. to US HWY 277 S.)

- Project includes:
 - Reconstruction of an existing drainage structure under Texas Ave. approximately 300' West of US Hwy 277
 - Replacement of the existing pavement above the pipes as well as the existing reinforced concrete pipes
 - Replacement of an existing sewer main on the South end of the pipes
 - Replacement drainage structure will be a cast in place concrete box culvert topped with cement stabilized base and a concrete driving surface with HMAC tie-ins
 - Placement of thermoplastic pavement markings and an add alternate has been included for a temporary signal system (3 temporary units) for the detour necessitated by the closure of Texas Ave. for the repair
- Project advertised September 21st and 28th; bids opened October 7th, 2025; two (2) bids received
- Project allowance: \$40,000.00
- Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction Co., Inc. with a base bid of \$257,412.20 and an add alternate bid of \$24,000.00 for a total bid price of \$281,412.20





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Matthew Dane, Director of Water Utilities

ITEM: 13. Resolution: Receive a Report, Hold a Discussion, and Take Action on Approving the Contract with Parkson Corporation for the Purchase and Replacement of Two Rotoshear Drum Screens at the Hamby Water Reclamation Facility (Matthew Dane)

GENERAL INFORMATION

Water Utilities staff is requesting that the Abilene City Council approve the contract with Parkson Corporation for the purchase and replacement of two Rotoshear PF EZ Care Internally-Fed Drum Screens for \$636,817.00.

The contract includes the provisions and installation of two (2) Rotoshear Drum Screens. Parkson will construct and deliver two (2) Rotoshear Drum Screens to the Hamby Water Reclamation Facility (WRF) and will provide two (2) factory representatives to assist with the removal of the existing units, installation of the new units, startup, and operator training.

FUNDING/FISCAL IMPACT

The contract will be funded through the Water Utilities Capital Improvement Program.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends that the Abilene City Council approve a contract with Parkson Corporation for the construction, delivery, and installation support of two (2) Rotoshear Drum Screens at the Hamby Water Reclamation Facility, including startup assistance and operator training, in the amount of \$636,817.00, which will ensure continued reliability and efficiency of the facility's preliminary treatment process.

ATTACHMENTS:

1. 2 - Written Resolution - Parkson Corp Rotoshear Drum Screens
2. Parkson Drum Screen Signed Contract
3. 3 - Presentation - Parkson Corp Rotoshear Drum Screens

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE CONTRACT WITH PARKSON CORPORATION FOR THE PURCHASE AND REPLACEMENT OF TWO ROTOSHEAR PF EZ CARE INTERNALLY-FED DRUM SCREENS FOR THE HAMBY WATER RECLAMATION FACILITY.

WHEREAS, the City of Abilene (City) owns and operates the Hamby Water Reclamation Facility (HWRf) under Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010334004 issued by the Texas Commission on Environmental Quality (TCEQ); and

WHEREAS, the HWRf relies on critical mechanical systems, including Rotoshear Drum Screens, to remove large solids and debris from incoming wastewater prior to downstream treatment processes, thereby protecting pumps, membranes, and other sensitive components from damage and ensuring efficient plant operation; and

WHEREAS, the existing drum screens have reached the end of their service life and require replacement to maintain reliable performance and compliance with the facility's treatment requirements; and

WHEREAS, Water Utilities staff recommends approval of a contract with Parkson Corporation for the construction, delivery, and installation support of two (2) Rotoshear PF EZ Care Internally-Fed Drum Screens, including startup assistance and operator training; and

WHEREAS, the total contract amount of \$636,817.00 will be funded through the Water Utilities Capital Improvement Program;

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

That the City Manager is authorized to execute a contract with Parkson Corporation for the purchase and replacement of two (2) Rotoshear PF EZ Care Internally-Fed Drum Screens for the Hamby Water Reclamation Facility in the amount of \$636,817.00

ADOPTED this 23th day of October, 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney



SERVICES CONTRACT

This Contract, dated the 23rd day of October, 2025, is between the City of Abilene, a home rule municipal corporation of the State of Texas (“City”), and Parkson Corporation a Corporation organized under the laws of the State of Illinois (“Contractor”).

The purpose of this services contract is to state the terms and conditions under which Contractor will provide Replacement of Two Rotoshear Drum Screens at Hamby WRF services to the City during the term stated herein.

In consideration of the mutual promises contained in this contract, City and Contractor agree as follows:

I. TERMS

Contractor must provide all services as described in Attachment A, which is incorporated by reference for all purposes within a mutually agreed upon date calendar days after the effective date of this Contract.

II. PAYMENT

For the services to be rendered under this Contract, the Contractor will be entitled to a fee as described in Attachment B, which is incorporated by reference for all purposes.

III. MATERIALS AND SUPPLIES

The Contractor will furnish all materials and equipment necessary to perform the services agreed to under this Contract, which are to be supplied by the Contractor.

IV. TERMINATION

This Contract may be canceled or terminated by either party for (1) the other party's violation or failure to comply with any terms or conditions contained herein, or (2) upon the giving of sixty (60) days written notice by either party of the desire to terminate the same. Upon the termination of this Contract as provided herein, an accounting shall be made between the parties and payments made to the parties as provided for herein to the day of termination. For any funding beyond the current fiscal year, the City reserves the right to immediately terminate this Contract by giving written notice, without liability to the City, in the event that funding for this Contract is

discontinued or is no longer available. The City's fiscal year runs from October 1st to September 30th.

V. ASSIGNMENT

The Contractor may not assign, in whole or in part, any rights, duties, obligations, or interest arising from this Contract without the City's prior written consent. In the event of an assignment by the Contractor to which the City has consented, the assignee or assignee's legal representative must agree in writing with the City to personally assume, perform, and be bound by all the provisions of this Contract. All of the terms and provisions of this Contract are binding on Contractor's successors and assigns and may be enforced by the City against such successors and assigns.

VI. STATUS OF CONTRACTOR

The Contractor is an Independent Contractor. Contractor and Contractor's employees are not the agents, servants, or employees of the City.

VII. AMENDMENT OR MODIFICATION

This Contract, including attachments, constitutes the entire agreement of the parties. Any statements, promises, or agreements made by either party or its agent, which are not contained in this Contract are of no effect. This Contract may not be amended or modified except by both parties' written consent. This Contract supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Contract.

VIII. INDEMNITY

A. Definitions

For the purpose of this section the following definitions apply:

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

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

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

"Contractor's employees" shall mean any employees, officers, agents, subcontractors, licensees, and invitees of Contractor.

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

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

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

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

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

B. Indemnity

The Contractor must indemnify, hold harmless, and defend the City from and against liability for any third-party claims to the extent directly caused by Contractor's negligent work provided that such claims are not caused by the City's negligence or willfull misconduct.

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

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

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

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

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND

PROTECT THE CITY ONLY FOR CLAIMS ARISING FROM CONTRACTOR'S NEGLIGENCE OR WILLFUL MISCONDUCT, AND NOT FOR THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

IX. LIMITATION OF LIABILITY

TO THE FULLEST EXTENT ALLOWABLE BY LAW, IN NO EVENT SHALL CONTRACTOR, TO INCLUDE CONTRACTOR'S OFFICERS, DIRECTORS, EMPLOYEES, AND AGENTS ("CONTRACTOR GROUP") BE LIABLE FOR INDIRECT, INCIDENTAL, PUNITIVE, EXEMPLARY, SPECIAL OR CONSEQUENTIAL DAMAGES, WHETHER IN CONTRACT OR TORT, EVEN IF COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL CONTRACTOR GROUP'S AGGREGATE LIABILITY ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO THIS AGREEMENT FROM ANY CAUSE OR CAUSES EXCEED THE PURCHASE ORDER PRICE. THIS LIMITATION OF LIABILITY IS CUMULATIVE AND NOT PER INCIDENT.

X. INSURANCE

A. GENERAL REQUIREMENTS

The Contractor agrees to maintain the type and amounts of insurance required in this Contract throughout the term of the agreement. The Contractor is solely responsible for providing the required certificates of insurance. The City may terminate this Contract if the Contractor fails to timely comply with the insurance requirements.

The required insurance must be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies are subject to examination and approval by the City for their adequacy as to content, form of protection, and providing company.

The required insurance naming the City as Additional Insured must be primary insurance and not contributing with any other insurance available to City, under any third party liability policy.

Before the City executes the notice to proceed with any work under this Contract, the Contractor must provide the City Secretary with either an original certificate of insurance. Thereafter, the Contractor must furnish new certificates or copies of the policy before the expiration date.

Texas Labor Code Section 406.096 requires a city to ensure that contractors carry workers' compensation for each employee when the city is a party to any "building or construction contract." The Code enumerates that "building and construction" includes:

- (A) erecting or preparing to erect a structure, including a building, bridge, roadway, public utility facility, or related appurtenance;
- (B) remodeling, extending, repairing, or demolishing a structure; or
- (C) otherwise improving real property or an appurtenance to real property through similar activities.

B. ADDITIONAL REQUIREMENTS

The required liability insurances and their certificates shall:

1. Name the City as an Additional Insured with respect to operations for which this Contract is made.
2. Provide for thirty (30) day advance written notice of cancellation or adverse material change.

C. TYPES AND AMOUNT OF INSURANCE

The types of insurance required in this Contract are those indicated by initials. If no initials appear on any of items 1 through 6, items 1 through 4 shall be required.

<u>Type</u>	<u>Amount</u>
☒ _X_1. Workers' Compensation Employer's Liability	Statutory \$100,000 per occurrence
☒ _X_2. Commercial (Public) Liability including, but not limited to: • Premises/Operations • Independent Contractors • Products/Completed Operations • Contractual Liability (Insuring above indemnity) and where the exposures exist • Explosion Collapse and Underground	\$500,000 combined single limit for bodily injury and property damage (per occurrence)
☒ _X_3. Business Automobile Liability to include coverage for:	\$500,000 combined single limit for bodily injury

- Owned/Leased Autos and property damage
- Non-Owned Autos (per occurrence)
- Hired Cars

___ 4. Professional Liability \$500,000 combined single limit
(per occurrence)

___ 5. See Addendum for Special
Coverages and/or revisions

___ 6. No Insurance Required

XI. VENUE, CHOICE OF LAW, AND INTERPRETATION

Venue for any cause of action arising under this Contract is Taylor County, Texas. This contract is governed by the laws of the State of Texas both as to interpretation and performance. This Contract shall, in any dispute over its meaning or application, be interpreted fairly and reasonably, and not more strongly for or against either party.

XII. NOTICE

All notices must be in writing, hand-delivered or mailed by certified mail, to the other party at the address below. The name and address for notification may be changed by notice to the other party.

City - ATTN: Matthew Dane, Director of Water Utilities
P.O. Box 60
Abilene, TX 79604-0060

Contractor - ATTN: Marty Unger, Regional Sales Manager
562 Bunker Court
Vernon Hills, IL 60061

XIII. COMPLIANCE WITH LAWS, CHARTER, ORDINANCES

Contractor, its agents, employees, and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Abilene, and with all applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies. Contractor must obtain all necessary permits and licenses required in completing the work contracted for in this agreement.

XIV. NO INDEBTEDNESS

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

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

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

XV. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to recruit, employ, and to provide compensation, promotion, and other conditions of employment without regard to race, color, religion, sex, age, national origin, or disability. The City affirms that employment decisions shall be made only on the basis of bona fide occupational qualifications. The City shall continually review its employment practices and personnel procedures and take positive steps to assure that equality of employment opportunity in the City of Abilene, Texas, is a fact, as well as an ideal.

XVI. VERIFICATION OF EMPLOYMENT ELIGIBILITY

Contractor must comply with the Immigration Reform and Control Act (IRCA) and may not knowingly obtain labor or services of an unauthorized alien. Service Contractor-- not City -- must verify eligibility for employment as required by IRCA.

XVII. MINORITY AND WOMEN BUSINESS ENTERPRISES

The City hereby gives notice that Minority and Women Business Enterprises will be afforded equal opportunities to submit bids for this Contract and will not be discriminated against on the grounds of race, ethnicity, color, sex, religion, or national origin in awarding the contract. Technical assistance is available to Minority and Women Business Enterprises through the Texas Tech University Small Business Development Center, 749 Gateway St., #301, Building C, Abilene, Texas, 79602, 325-670-0300.

XVIII. SALES TAX

The City qualifies as an exempt agency under the Texas Limited Sales, Excise and Use Tax Act (the "Tax Act"), and is not subject to any State or City sales taxes on materials incorporated into the project. Labor used in the performance of this Contract is also not subject to State or City sales taxes. The City will provide an exemption certificate to the Contractor. The

Contractor must have a sales tax permit issued by the Comptroller of Public Accounts and shall issue a resale certificate complying with the Tax Act, as amended, when purchasing said materials. The Contractor is responsible for any sales taxes applicable to equipment purchases, rentals, leases, consumable supplies which are not incorporated into the project, tangible personal property purchased for use in the performance of this Contract and not completely consumed, or other taxable services used to perform this Contract, or other taxes required by law in connection with this Contract.

XIX. TARIFF

Notwithstanding anything to the contrary herein, if either Party would otherwise have been entitled under this Agreement to pass through or recover tariff-related cost increases, but such recovery is unavailable, disallowed, or materially impaired, then such Party shall have the unilateral right, upon written notice to the other Party, to terminate this Agreement without further liability or obligation, except for payment for goods and/or services delivered prior to the effective date of termination.

XX. LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provisions, and the Contract will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

XXI. STATUTORY VERIFICATIONS

Verification Against Boycott of Israel Provision. In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a company for the provision of goods or services unless the agreement contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. The term “company” does not include a sole proprietorship. Chapter 2271 of the Texas Government Code only applies to an agreement that: (1) is between a governmental entity and a company with 10 or more full-time employees; and (2) has a value of \$100,000.00 or more that is paid wholly or partly from public funds of the governmental entity.

Verification Against Discrimination of Firearm or Ammunition Industries Provision. Pursuant to Texas Government Code Chapter 2274, unless otherwise exempt, if the company employs at least 10 full-time employees, and this agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company verifies that: (1) the company does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the company will not discriminate during the term of the Agreement against a firearm entity or firearm trade association. The term “company” does not include a sole proprietorship. This provision does not apply to a governmental entity that contracts

with a sole-source provider, or does not receive any bids from a company that is able to provide the written verification required.

Verification Against Boycott of Energy Companies Provision. Pursuant to Texas Government Code Chapter 2276, unless otherwise exempt, if the company employs at least 10 full-time employees, and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the City, the company represents that: (1) the company does not boycott energy companies; and (2) the company will not boycott energy companies during the term of this Agreement. The term “company” does not include a sole proprietorship. This provision does not apply to a governmental entity that determines the requirements are inconsistent with the governmental entity’s constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds.

Prohibition on Contracts with Certain Companies Provision. In accordance with Section 2252.152 of the Texas Government Code, the company verifies that company is not on a list maintained by the State Comptroller’s office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Unless the Contractor is not subject to a provision above, the signatory executing this Contract on behalf of the Contractor verifies that the Contractor: (1) does not boycott Israel and will not boycott Israel during the term of this Contract; (2) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, and will not discriminate during the term of this Contract against a firearm entity or firearm trade association; (3) does not boycott energy companies, and will not boycott energy companies during the term of this Contract; and (4) is not on a list maintained by the State Comptroller’s office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

XXII. SECTIONS AND OTHER HEADINGS

Section, paragraph, and other headings contained in this Contract are for reference purposes only and do not affect in any way the meaning or interpretation of this Contract.

XXIII. COUNTERPARTS

This Contract may be executed in two or more counterparts (including fax, email, or electronic PDF counterparts), each of which shall be deemed an original and all of which together shall constitute one instrument.

{Remainder of Page Intentionally Left Blank—Signature Page Follows}

IN WITNESS HEREOF the parties have entered into this agreement as of the date written above.

CITY OF ABILENE

By:

Title:

CONTRACTOR

By: Andrew Singer

Title: Contracts Manager

Address: 1401 W Cypress Crk Rd,
Ft Lauerdale Florida

Phone Number: 954-935-6212

Federal Tax ID #: 59-1204973

ATTEST:

City Secretary

APPROVED:

City Attorney

ATTEST: (If Corporation)



Corporation's Secretary (authorized signatory)

Corporate Seal (If available):



ATTACHMENT A

SCOPE OF SERVICES

Parkson Corporation Rotoshear Drum Screens are the sole source drum screens designed to work with the existing Parkson Compactors that were installed under the same drum screens and bolted to the concrete structure.

Parkson will provide (2) Rotoshear PF EZ Care internally-fed drum screens model RDS60120DVT.

Parkson will construct and deliver (2) Rotoshear drum screens to Hamby WRF. Parkson will also provide (2) factory representatives to assist with the removal of old units and the installation of the new unit as well as the start-up and operator training of units.

See Parkson Quotation Number B061 Rev 3 (4 pages) attached herein and incorporated by reference. Any technical specifications, warranties, or product-specific terms contained in the Quotation shall control over conflicting terms in this Agreement. For all other matters, this Agreement shall control.

Quotation

NUMBER: B061 Rev 3

DATE: September 8, 2025

TO: Hamby WWTP
1900 County Rd. 308
Abilene, TX 79601
Attn: Kenny Doss
Tel: 325-548-2237
Fax: 325-548-2017
E-Mail: kenny.doss@abilenetx.gov

REF.: Hamby WWTP

Parkson Corporation is pleased to provide a revised quotation for the following equipment, to replace existing equipment currently in operation

ITEM 1 EQUIPMENT

Two (2) Rotoshear® PF EZ Care internally-fed rotary drum screens model RDS60120DVT

1.A Each Unit Equipment Description:

1. Screen cylinder with panels constructed of type 316 stainless steel with 2 mm perforated screen openings.
2. Base frame fabricated with type 316 stainless steel structural members.
3. Headbox assembly fabricated of 10 gauge type 316 stainless steel, with a 30.00" O. D. inlet pipe stub with type 316 stainless steel flanged connection.
4. Drain pan with legs fabricated of 12 gauge type 316 stainless steel, with a 36.00" O. D. bottom outlet pipe stub with type 316 stainless steel flanged connection.
5. Splash guards constructed of 16 gauge type 316 stainless steel.
6. Cover hood to enclose the top of the screen assembly, fabricated of 14 gauge type 316 stainless steel.
7. Discharge end enclosure fabricated of 12 gauge type 316 stainless steel, with chute extension to feed into the screenings wash press inlet chute.
8. Trunnion wheels (4 per unit) made of 8" diameter UHMW polyethylene, fitted with greaseable bearings and mounted on stainless steel shafts.
9. Internal and external spray systems made of type 316 stainless steel with 1-1/2" NPT connections.
10. Brass body solenoid valves (2 per unit) in a NEMA 7 enclosure for control of the spray wash systems.
11. Cylinder stabilizing assembly mounted at the discharge end of the cylinder, constructed of type 316 stainless steel bracketing and plastimeric guide.
12. Drive assembly consisting of a 2 HP explosion-proof gearmotor (230/460/3/60), plastic drive and driven sprockets, and NH78 plastic drive chain.
13. Safety interlock switching mounted on splash guards, rated NEMA 4X.
14. E-stop pushbutton in a NEMA 7 enclosure.

ITEMS NOT INCLUDED:

- Control panel**
- Screen discharge chute extension**

ITEM 2 SERVICES

2.A Drawings and Installation, Operation and Maintenance (IO&M) Manuals:

1. Approval drawings: 2 prints included
2. Certified drawings: 2 prints included
3. IO&M manuals: 2 included

2.B Start-Up/Supervision Assistance:

Parkson will furnish two factory representatives to assist in the removal of the old unit and the installation of the new unit as well as start-up and operator training. Dates of service to be scheduled upon Purchaser's written request. Total is inclusive of all products listed above.

2.C Mechanical Warranty:

Per Section XVI of the Standard Conditions of Sale.

PURCHASE PRICE:

All of the above for \$636,817.00 USD
F.O.B. shipping point, freight included, taxes excluded.

USA Tariffs and Current Trade Laws: All prices are based on current USA and North America tariffs and trade laws/agreements at time of bid. Any changes in costs due to USA Tariffs and trade laws agreements will be passed through to the purchaser at cost

VALIDITY:

Purchase Price is valid for sixty (60) days from the quotation date, for shipment of equipment within the timetable stated below. **Purchase price includes a 2-unit discount of \$8,817 if purchase order is received within the next 60 days.**

PAYMENT TERMS:

10% with order, 15% upon approval of submittals, 75% upon shipment of equipment not to exceed 180 days after shipment.

Please refer to our Standard Conditions of Sale regarding additional details about price validity, escalation potential and materials availability.

TIMETABLE GUIDELINE:

Within ten (10) business days of receiving a written Purchase Order in Parkson's office, if necessary, Parkson will submit a written Request for Additional Information requesting items including, but not limited to, full-scale drawings, specification sections, amendments and other documents necessary for Parkson to begin work on this Project. No work can be done on this Project until all Additional Information is received by Parkson, thus beginning the Submittal Phase. If you do not receive such a Request for Additional Information within the stated ten (10) business days, then the Submittal Phase will begin on the eleventh (11th) business day following receipt of the written Purchase Order in Parkson's office. The Shipment Phase is thereafter contingent upon your final approval of all submitted Approval Drawings. Once said final approval is received in Parkson's offices, the Shipment Phase will begin.



Submittal Phase: Approval drawings will be submitted six (6) weeks from receipt of all requested Additional Information if necessary, or if not necessary, from the eleventh (11th) business day following receipt of a written Purchase Order in Parkson's office.

Shipment Phase: Twenty-four (24) weeks following receipt of final approval of all submitted Approval Drawings in Parkson's office.

If the Submittal Phase is waived, the Shipment Phase will begin on receipt of all requested Additional Information if necessary, or if not necessary, on the eleventh (11th) business day following receipt of a written Purchase Order in Parkson's offices.

Dates are subject to confirmation upon receipt of written Purchase Order.

TERMS AND CONDITIONS:

This Quotation is governed by and subject to Parkson's Standard Conditions of Sale, which are incorporated by reference and accessible at: <http://www.parkson.com/files/documents/Sales-conditions.pdf>. Parkson will negotiate the terms and conditions at the time of award.

BUYER/OWNER RESPONSIBILITY:

- Removal of existing equipment.
- Anchor bolts.
- Spare parts.
- Washwater booster pump.
- Concrete or steel support structure or pads.
- Local disconnects or junction boxes.
- Control panel mounting.
- Control panel sunshield.
- Spray wash water connection and piping.
- Heat tracing or power for heat tracing of spray wash piping.
- Drain piping.
- Pressure gauges.
- Plug valves.
- Isolation and pressure regulating valves.
- Gate valves, check valves, butterfly valves, ball valves, Y-strainers.
- Hose bibs.
- Portable steam cleaner.
- Screenings dumpsters.
- Lubricants.
- Shop or field painting.
- Influent and effluent connection: Units are provided with loose flanged connections. Piping should be supported independent of the unit.
- Unloading, uncrating, installation and installation supervision. Installation will, at minimum, require a forklift and possibly a crane/hoist.
- Readiness of the equipment before requesting start-up service. Non-readiness may incur additional charges.
- Electrical connection and interconnecting wiring (including any of the following: E-Stop buttons, solenoid valves, interlock switches, motors, main control panel); wiring and conduit from each unit-mounted electrical device to a terminal box or control panel.
- Interconnecting piping.



- Piping connections, access platforms, ladders, gratings and railings unless stated otherwise.
- Any other auxiliary equipment or service not detailed above.

Please return one signed copy of this Quotation, or your Purchase Order, to Parkson Corporation at the address below. Refer to this Quotation, date, and related correspondence.

Issued By:

PARKSON CORPORATION

562 Bunker Court

Vernon Hills, IL 60061

Accepted By: (Herein called the Buyer)

Name: Marty Unger
Title: Regional Sales Manager
Date: August 18, 2025
Phone: 954-383-1757
Email: munger@parkson.com

Name
Title:
Date:

ATTACHMENT B

PAYMENT SCHEDULE PARTIES TO INITIAL OPTION(S) SELECTED

OPTION 1 X

Compensation is based on actual hours of work/time devoted to providing the described services and will be paid at a rate of \$(per Standard Conditions of Sale) per hour, or per the attached schedule, not to exceed \$636,817.00.

Contractor must submit monthly invoices to City accompanied by an explanation of charges, professional fees, and services. City will pay invoices according to its normal payment procedures.

Payment shall be made pursuant to the following payment schedule: 10% with order, 15% upon approval of submittals, 75% upon shipment of equipment not to exceed 180 days after shipment.

OPTION 2

Payment is in a lump sum amount of \$Click or tap here to enter text. upon completion of the work and written acceptance by the City.

No mechanic, contractor, subcontractor, materialman, or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, if required by the City, the Contractor must execute and provide City with an Affidavit that all bills for labor, materials and incidentals incurred by subcontractors, materialmen, mechanics, and suppliers under this Contract have been paid in full, and that there are no claims pending of which Contractor has been notified.

OPTION 3

Payment is a fixed fee amount of \$Click or tap here to enter text. payable per Click or tap here to enter text. upon completion of the work and written acceptance by the City.

No mechanic, contractor, subcontractor, materialman, or other person can or will contract for or in any other manner have or acquire any lien upon any building or work covered by the contract or the land upon which the same is situated.

Before final acceptance of this project by the City, if required by the City, the Contractor shall execute and provide City with an Affidavit that all bills for labor, materials, and incidentals

incurred by subcontractors, materialmen, mechanics, and suppliers under this Contract have been paid in full, and that there are no claims pending of which Contractor has been notified.

ATTACHMENT C

STATE MANDATED WORKERS' COMPENSATION INSURANCE LANGUAGE THIS ATTACHMENT IS ONLY APPLICABLE IF WORKERS' COMPENSATION COVERAGE IS PROVIDED

a. Definitions

Certificate of coverage ("certificate") - a copy of a certificate of insurance, a certificate of authority to self-insure issued by the commission, or a coverage agreement (TWCC-81, TWCC-82, TWCC-83, or TWCC-84), showing statutory workers' compensation insurance coverage for the person's or entity's employees providing services on a project, for the duration of the project.

Duration of the project - includes the time from the beginning of the work on the project until the Contractor's work on the project has been completed and accepted by the City.

Persons providing services on the project ("subcontractors" in 406.096) - includes all persons or entities performing all or part of the services the Contractor has undertaken to perform on the project, regardless of whether that person contracted directly with the Contractor and regardless of whether that person has employees. This includes, without limitation, independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity which furnishes persons to provide services on the project. "Services" include, without limitations, providing, hauling, or delivering equipment or materials, or providing labor, transportation, or other service(s) related to a project. "Services" does not include activities unrelated to the project, such as food/beverage vendors, office supply deliveries, and delivery of portable toilets.

b. The Contractor shall provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all employees of the Contractor providing services on the project, for the duration of the project.

c. The Contractor must provide a certificate of coverage to the City prior to being awarded the contract.

d. If the coverage period shown on the Contractor's current certificate of coverage ends during the duration of the project, the Contractor must, prior to the end of the coverage period, file a new certificate of coverage with the City showing that coverage has been extended.

e. Contractor shall obtain from each person providing services on a project and provide to City:

(1) a certificate of coverage, prior to that person beginning work on the project, so the City will have on file certificates of coverage showing coverage for all persons providing services on the project; and

(2) no later than seven (7) days after receipt by the Contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project.

- f. The Contractor shall retain all required certificates of coverage for the duration of the project and for one (1) year thereafter.
- g. The Contractor shall notify the City in writing by certified mail or personal delivery, within ten (10) days after the Contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project.
- h. The Contractor shall post on each project site a notice, in the text, form, and manner prescribed by the Texas Workers' Compensation Commission, informing all persons providing services on the project that they are required to be covered, and stating how a person may verify coverage and report lack of coverage.
- i. The Contractor shall contractually require each person with whom it contracts to provide services on a project to:
 - (1) provide coverage, based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements, which meets the statutory requirements of Texas Labor Code, Section 401.011(44) for all of its employees providing services on the project, for the duration of the project;
 - (2) provide to the Contractor, prior to that person beginning work on the project, a certificate of coverage showing that coverage is being provided for all employees of the person providing service on the project, for the duration of the project;
 - (3) provide the Contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
 - (4) obtain from each other person with whom it contracts, and provide to the Contractor:
 - (a) a certificate of coverage, prior to the other person beginning work on the project; and
 - (b) a new certificate of coverage showing extension of coverage, prior to the end of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
 - (5) retain all required certificates of coverage on file for the duration of the project and for one (1) year thereafter;
 - (6) notify the City in writing by certified mail or personal delivery, within ten (10) days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing service on the project;

(7) contractually require each person with whom it contracts, to perform as required by paragraphs (1) - (7), with the certificates of coverage to be provided to the person for whom they are providing services.

- j. By signing this Contract or providing or causing to be provided a certificate of coverage, the Contractor is representing to the City that all employees of the Contractor who will provide services on the project will be covered by workers' compensation coverage for the duration of the project, that the coverage will be based on proper reporting of classification codes and payroll amounts, and that all coverage agreements will be filed with the appropriate insurance carrier or, in the case of a self-insured, with the commission's Division of Self-Insurance Regulation. Providing false or misleading information may subject the Contractor to administrative penalties, criminal penalties, civil penalties, or other civil actions.
- k. The Contractor's failure to comply with any of these provisions is a breach of contract by the Contractor which entitles the City to declare the Contract void if the Contractor does not remedy the breach within ten (10) days after receipt of notice of breach from the City.

(End of Document)

Approve the contract with Parkson Corporation for the purchase and replacement of two Rotoshear PF EZ Care Internally-Fed Drum Screens for the Hamby Water Reclamation Facility.





Hamby Drum Screen Replacement

- Approving the contract with Parkson Corporation for the purchase and replacement of two Rotoshear PF EZ Care Internally-Fed Drum Screens for the Hamby Water Reclamation Facility in the amount of \$636,817.00.
- Includes delivery of new drum screens, removal of existing units, installation support, startup assistance, and operator training.
- The Rotoshear Drum Screens are essential for maintaining the reliability and efficiency of the facility's preliminary treatment process.

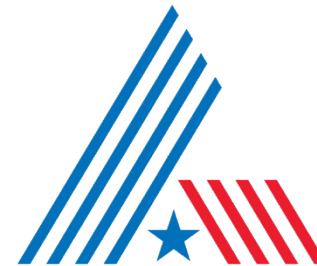




Hamby Drum Screen Replacement



Rotoshear PF EZ Care Internally-Fed Drum
Screens - RDS60120DVT



CITY OF
ABILENE
TEXAS

Approve the contract with Parkson Corporation for the purchase and replacement of two Rotoshear PF EZ Care Internally-Fed Drum Screens for the Hamby Water Reclamation Facility.

QUESTIONS?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Cande Flores, Fire Chief

ITEM: 14. Resolution: Receive a Report, Hold a Discussion and Take Action to Authorize the City Manager to Execute a Change Order to the Contract Between Siddons Martin Emergency Group, LLC and the Abilene Fire Department, for the Purchase of Four (4) Pierce Custom-Built Fire Apparatus (Cande Flores)

GENERAL INFORMATION

The Fire Apparatus Replacement Plan Includes AFD Fleet Replacements Through the Year 2052. This Plan Calls for the Purchase of Three (3) Fire Engines in 2025. The Addition of Fire Station 9 Requires the Purchase of One (1) Additional Fire Engine. This Replacement Plan Complies With Recommendations in NFPA Standard 1901 and Supports the Class 1 Public Protection Classification (PPC) by the Insurance Service Office (ISO).

This Purchase is for Four (4) Custom Built Pierce Fire Pumpers, Not Including Additional Equipment. The Purchase is Made Through the Siddons-Martin Emergency Group. The Original Total Price for the Four (4) Fire Engines is \$3,222,312.45.

During the Pre-Build Process, the Abilene Fire Department Determined the Need for Changes to Each Fire Engine. The Total for the Change Order is \$168,252.36. The Change Order Total Will be Paid Upon Receipt of the Final Product.

FUNDING/FISCAL IMPACT

Funding for This Purchase is Available Through the Fire Apparatus Replacement Fund.

The Change Order Total is \$168,252.36.

STAFF AND/OR BOARD RECOMMENDATION

Staff Recommends Approval of the Resolution to Authorize the City Manager to Execute a Change Order to the Contract Between the Siddons Martin Emergency Group, LLC and the Abilene Fire Department, for the Purchase of Four (4) Pierce Custom-Built Fire Apparatus.

ATTACHMENTS:

1. Resolution-Fire Engines Change Order
2. Fire Engines Purchase PPT

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

RESOLUTION NO. _____

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

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

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

WHEREAS, during the pre-build process, the Abilene Fire Department requested changes to the original specifications which resulted in an increase in the total price. The change order increase of \$168,25.36 will be added to the total price of the fire engines.

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

WHEREAS, funding for these fire engines is available through the Fire Apparatus Replacement Fund. \$1,419,020.08 of the purchase price was paid upon initiation of this contract and the remaining balance of \$1,811,858.37 plus the change order balance of \$168,252.36 will be paid upon receipt of the finished products.

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

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

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

ADOPTED and approved by the City Council on the 23th of October, 2025.

ATTEST:

Shawna Atkinson
City Secretary

Weldon Hurt
Mayor

APPROVED:

Stanley Smith
City Attorney

AFD Apparatus Purchase Change Order

October 2025





ORIGINAL PURCHASE

- Pierce-Custom Enforcer Pumper (Fire Engine)
 - 3 Fire Engines priced at \$827,859.00 each
 - Replaces current Engines 1 & 4
 - Additional Fire Engine for Station 9
 - 1 Fire Engine priced at \$854,859.00
 - Replaces current Engine 6
 - Contains additional storage compartments
 - Additional storage for technical rescue equipment
- 2022 PURCHASE
 - All 4 Engines were ordered in 2022
 - Locked in 2022 pricing
 - Anticipated an extended build time





CHANGE ORDER

- Pierce Pre-Build Process
 - AFD members to Appleton, WI to finalize specifications to all four apparatus
 - Upon review, it was determined that AFD desired changes to the original specifications
 - Larger cab to accommodate additional storage space
 - Additional cabinets to house EMS equipment introduced since 2022
 - Upgraded cab insulation to compensate for West Texas heat
 - Needed for both occupants and medication that must remain temperature controlled
 - Addition of a pre-plumbed hose reel for trash fires and car fires.
- Total Cost of Change Orders
 - \$168,252.36
 - Paid upon final receipt of the product





FUNDING IMPACT

- HGAC Pricing
 - Guaranteed Best Pricing
- Funding will come from the AFD Fire Apparatus Fund
 - \$1,419,020.08 paid upon signing of the contract
 - \$1,811,858.37 + \$168,252.36 paid upon completion and acceptance of all ordered apparatus

Original Contract Price: \$3,230,878.45

Change Order Total: \$168,252.36

Total Purchase Price: \$3,399,130.81





END

QUESTIONS?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **15. Ordinance (First Reading) Z-2025-32: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 20.61 Acres From Agricultural Open (AO) And Medium Density (MD) To Multi-Family (MF). Located At The 400 Block Of Jolly Rogers Road. (Tim Littlejohn)**

GENERAL INFORMATION

The subject property was annexed into the City Limits in 1980 and has remained undeveloped. In recent years, this area of Abilene has begun to see more development.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. Staff Report
3. Application
4. Z-2025-32 Flood
5. Legal Description
6. Presentation

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning of approximately 20.61 acres from Agricultural Open (AO) and Medium Density (MD) to Multi-Family (MF).

Located along the 400 block of Jolly Rogers Road.

Legal description as follows:

BEGINNING at a point in Jolly Rogers Road (no right-of-way found of record) called to be on the south line of L. Bowerman Survey No. 83 and the most southerly north line of said Section 83, and at the northwest corner of a called 10 acre tract recorded in Instrument No. 2017-8517, Official Public Records, Taylor County, Texas, for the northeast corner of this tract, whence the southeast corner of said Bowerman Survey is recorded to bear S89°55'E 1498.86 feet, and from said beginning point a 1/2" rebar found for reference at the northeast corner of said 10 acre tract bears S89°06'53"E 415.56 feet and S0°21'42"W 24.88 feet;

THENCE S0°21'42"W at 25.0 feet pass a 3/8" rebar set for reference on the south side of Jolly Rogers Road, and continue along for a total distance of 1047.48 feet to a 3/8" rebar found at the southwest corner of said 10 acre tract, for the southeast corner of this tract, whence a 1/2" slick rod found at the southeast corner of said 10 acre tract bears S89°11'42"E 415.56 feet:

THENCE N89°21'54"W 460.86 feet, along the SBL of this tract to a 3/8" rebar found at the southeast corner of Lot 1, Block A, Holiday Inn Addition (Cabinet 4, Slide 132, Plat Records, Taylor County, Texas) for the most southerly southwest corner of this tract;

THENCE N0°22'02"E 330.71 feet, along the EBL of said Holiday Inn Addition to a 1/2" rebar found at the northeast corner of said Holiday Inn Addition for an interior corner of this tract;

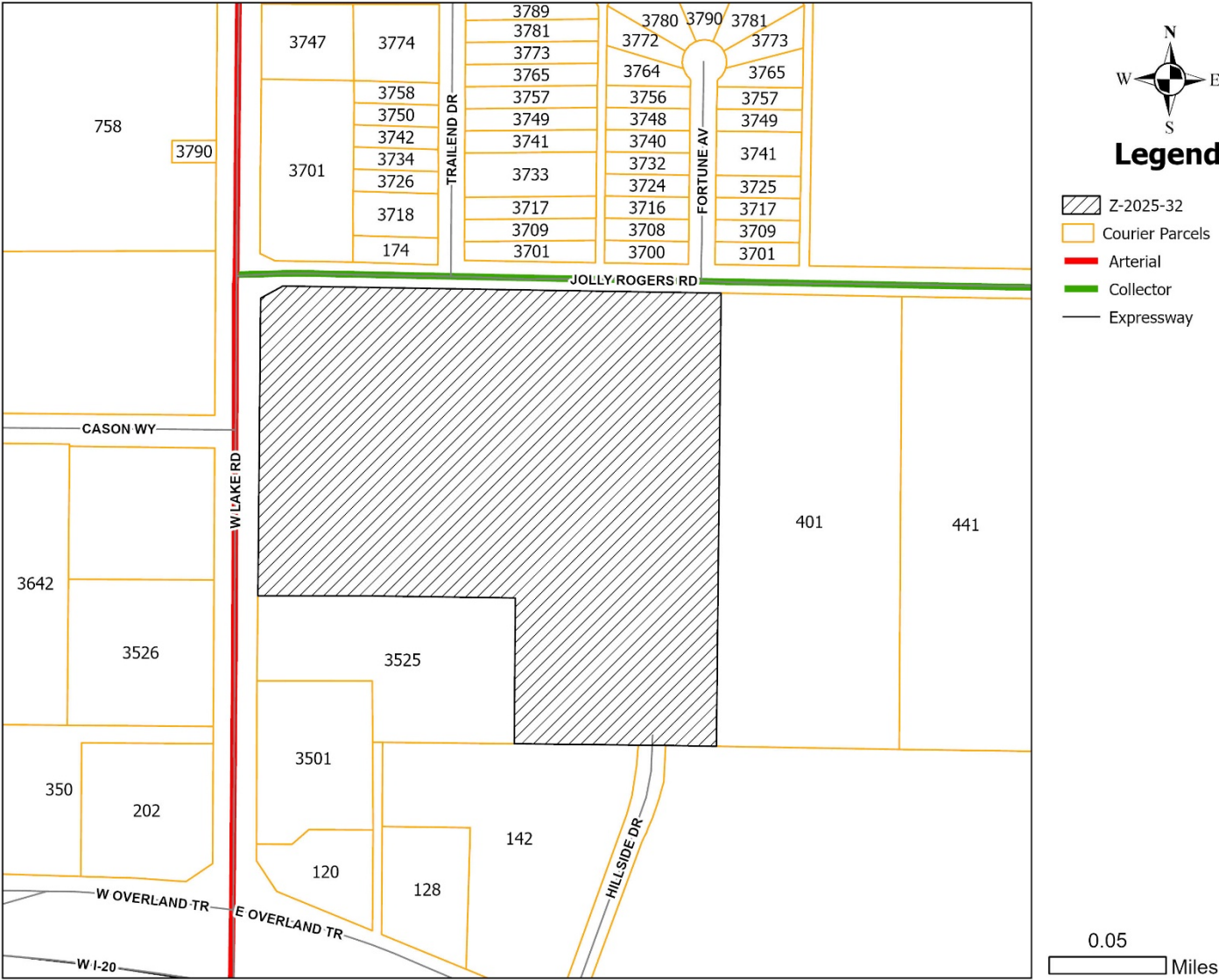
THENCE N89°03'01"W 578.92 feet, along the NBL of said Holiday Inn Addition to a point on the east right-of-way line of F.M. Highway 600 (AKA West Lake Road- 100' right-of-way) at the northwest corner of said Holiday Inn Addition, for the most northerly southwest corner of this tract, whence a 1/2" rebar found bears N89°03'01"W 1.51 feet and from said point a 1/2" rebar found at the most northerly southwest corner of said Holiday Inn Addition bears S0°14'24"W 196.52 feet:

THENCE N0°14'24"E 665.08 feet, along the east right-of-way line of F.M. Highway 600 to an existing concrete right-of-way monument at a corner clip of said highway for a corner of this tract;

THENCE N61°19'33"E 56.90 feet, along said corner clip to a 1/2" rebar found on the south side of Jolly Rogers Road for a corner of this tract;

THENCE N0°14'24"E 25.00 feet, along the east right-of-way line of F.M. Highway 600 to a point in Jolly Rogers Road, and being on the south line of said Bowerman Survey and on the most southerly north line of said Section 83, for the most northerly northwest corner of this tract;

THENCE S89°06'52"E 991.47 feet, along Jolly Rogers Road and the most southerly north line of said Section 83 to the place of beginning and containing 20.61 acres of land, of which 0.57 acres are lying within Jolly Rogers Road leaving 20.04 acres net.



END

ZONING CASE

Z-2025-32

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: October 7, 2025
City Council 1st Reading: October 23, 2025
City Council 2nd Reading: November 6, 2025

Applicant

Owner: Bruce L Edwards
Agent: Kelly Gomez

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 20.61 acres from Agricultural Open (AO) and Medium Density (MD) to Multi-Family (MF).

Location

Located along the 400 block of Jolly Rogers Road. Legal description being approximately 20.61 acres out of Section 83, Block 14, T&P RR Co Surveys, Abilene, Taylor County, Texas.

Background

The subject property was annexed into the City Limits in 1980 and has remained undeveloped. In recent years, this area of Abilene has begun to see more development.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	MH	Mobile Home Park
East	AO	Residential Home
South	GC	Hotel
West	HC	Vacant

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**
The proposed use is consistent with the Comprehensive Plan.
- (2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate at this location, as this would act as the perfect transitional use from the commercial uses to the south to the less intensive residential zonings to the north.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

This property will be subject to platting and official site plan review. All required utilities will be addressed during these review processes.

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

None known.

Planning & Zoning Commission Recommendation

P&Z recommends **approval**.

Attachments

- PowerPoint Presentation
- Project Overview
- Proposed Site Plan

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on September 19, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER		Legend: O - Opposed, F - In Favor	
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE ASSETS LLC	106950	3526 W LAKE RD	
BERRY SCOTT AARON	43725	3717 FORTUNE AV	
BUERGER WENDELL ET AL	50390	401 JOLLY ROGERS RD	
DANKWORTH DAN & SHELIA	21650	758 HUCKLEBERRY LN	
EDWARDS BRUCE LYNN	975136		
GRAENSER FRANCIS L	40859	3717 TRAILEND DR	
HARKINS WARREN	29474	3701 W LAKE RD	
LINDNER GREGORY WAYNE II	33071	3718 TRAILEND DR	
LINDNER GREGORY WAYNE II	33071	3710 TRAILEND DR	
LTG REAL ESTATE GROUP LLC	975185		
LTG REAL ESTATE GROUP LLC	995536		
MAHESHA ENTERPRISES LLC	994093	3525 W LAKE RD	
MENDOZA JOHNNY	41250	3700 FORTUNE AV	
MOORE GREATHOUSES LLC	40983	3709 TRAILEND DR	
MOORE GREATHOUSES LLC	41504	3716 FORTUNE AV	
MOORE GREATHOUSES LLC	44011	3701 FORTUNE AV	
RAMSEY LEASING INC	53690	142 E OVERLAND TR	
RAMSEY LEASING INC	50813		
RK INVESTMENTS INC	54893	3501 W LAKE RD	
RUIZ MINERBA	41373	3708 FORTUNE AV	
VERVERS GREGORY W & MARJORIE J	33330	174 JOLLY ROGERS RD	

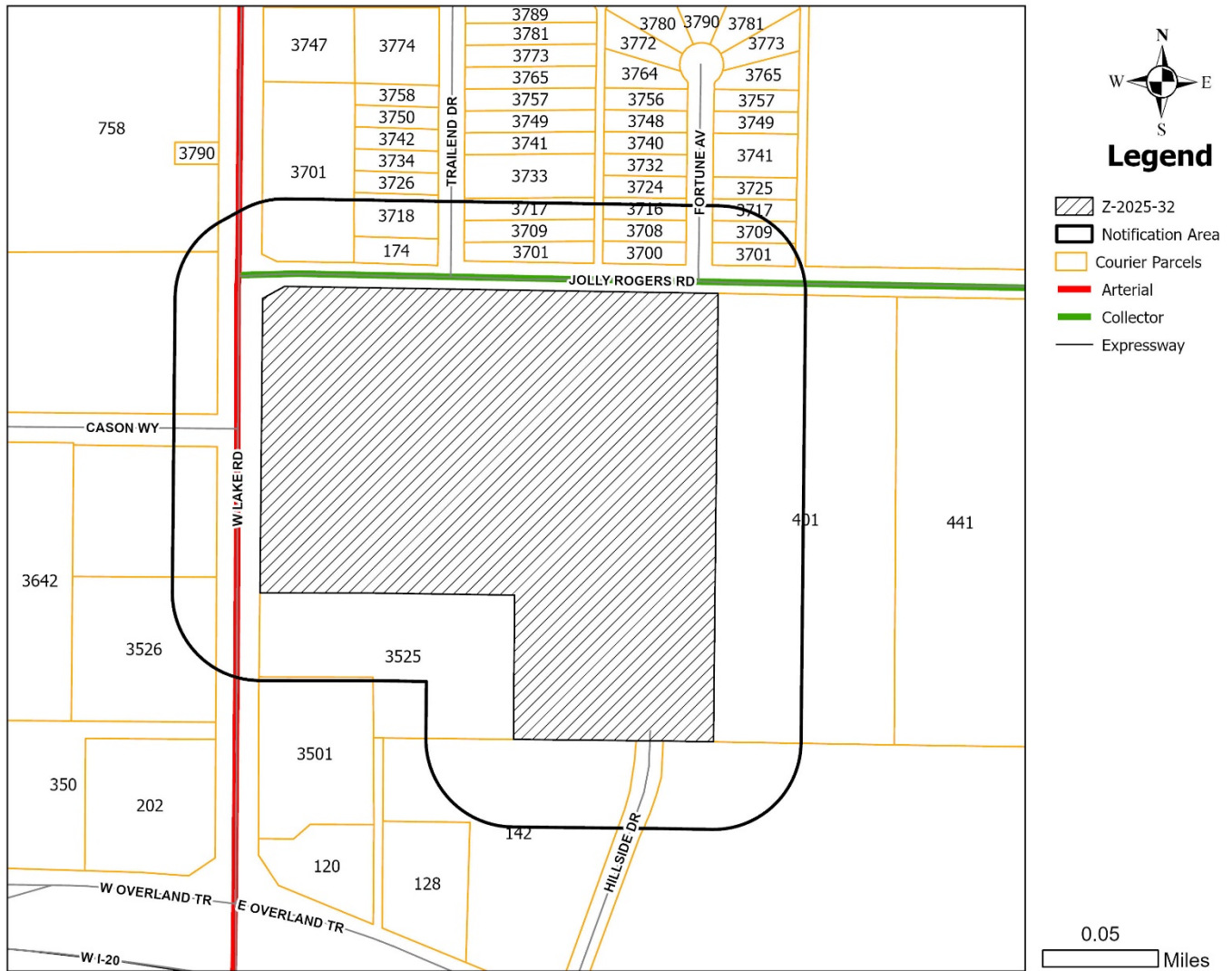
WALKER BARBARA ANN	41104	3701 TRAILEND DR	
WEEKS JOHNNY &	43849	3709 FORTUNE AV	

PROPERTY ID

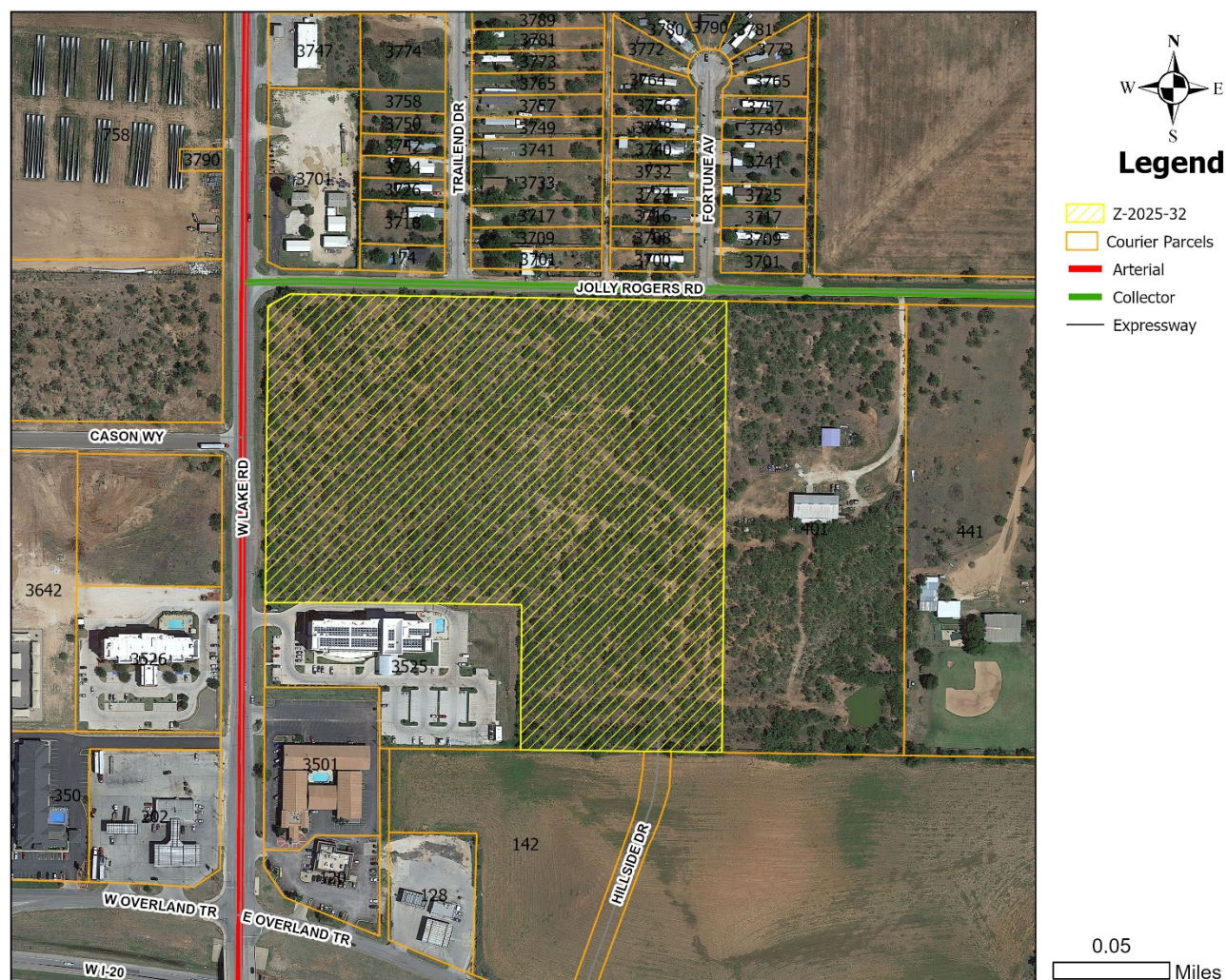
Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
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WALKER BARBARA ANN	41104	3701 TRAILEND DR	
MENDOZA JOHNNY	41250	3700 FORTUNE AV	
RUIZ MINERBA	41373	3708 FORTUNE AV	
MOORE GREATHOUSES LLC	41504	3716 FORTUNE AV	
BERRY SCOTT AARON	43725	3717 FORTUNE AV	
WEEKS JOHNNY &	43849	3709 FORTUNE AV	
MOORE GREATHOUSES LLC	44011	3701 FORTUNE AV	
BUERGER WENDELL ET AL	50390	401 JOLLY ROGERS RD	
RAMSEY LEASING INC	50813		
RAMSEY LEASING INC	53690	142 E OVERLAND TR	
RK INVESTMENTS INC	54893	3501 W LAKE RD	
ABILENE ASSETS LLC	106950	3526 W LAKE RD	
EDWARDS BRUCE LYNN	975136		
LTG REAL ESTATE GROUP LLC	975185		
MAHESHA ENTERPRISES LLC	994093	3525 W LAKE RD	
LTG REAL ESTATE GROUP LLC	995536		

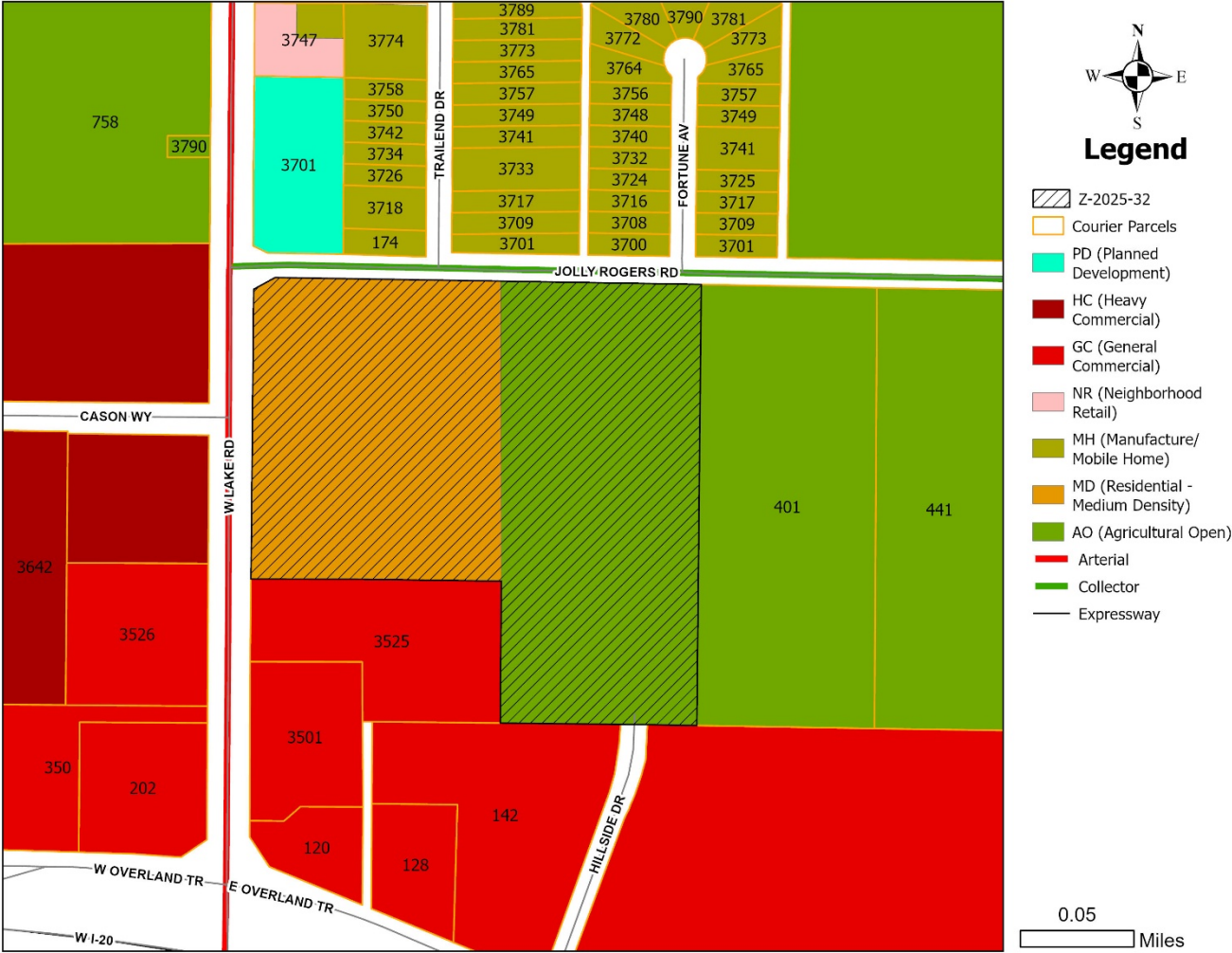
NOTIFICATION MAP



LOCATION MAP



ZONING MAP





ZONING APPLICATION

Zoning Application Page 1 of 3

Planning

- ☐ Conditional Use Permit ☒ Rezoning ☐ Easement Release
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment

Relief Procedures

- ☐ Petition for Relief ☐ Proportionality Appeal ☐ Vested Rights Petition ☐ Appeal
Other: _____

Project Name: Prestige Jolly Addition

Address: Southeast Corner Westlake Rd. & Jolly Rodgers Rd. Number of Lots: 2 Acreage: 20.61

Legal Description: See attached.

Subdivision Name: Prestige Jolly Addition Block: N/A Lot: N/A

Current Zoning: AO (Agricultural Open Space) Proposed Zoning (if applicable): MF (Multi-Family)

OWNER AND AUTHORIZATION

Owner Name: EDWARDS BRUCE LYNN & EDWARDS GARY ESTATE

Address: 32230 Highwood green LN

City, State, Zip: Coroe, TX 77385

Fax: _____

Phone: _____

Email: _____

Agent Name: Venkat Gottipati

Address: 1000 Ridge Hollow Trl

City, State, Zip: Irving, TX 75063

Fax: _____

Phone: 214 455 7623

Email: venkat@land-star.us

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: _____

Date: July 15, 2025

Dana Gossman
DESIGNED

Jul 15, 2025

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____

ZONING APPLICATION

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--|--|-----------------------------|-------------------------------|
| ☒ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☐ PD | Planned Development District |
| ☐ CU | College & University | ☐ MF | Multi-Family |
| ☐ NO | Neighborhood Office | ☐ | Neighborhood Empowerment Zone |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

To develop tract.

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.



ZONING APPLICATION

Zoning Application Page 3 of 3

Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

Yes.

2. Is the use permitted by the proposed change in the zoning district's classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

Yes.

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

Yes.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

No.

Other Required Forms - Disclosure of Interest (See Attached)



ZONING APPLICATION

Owner Authorization and Representative Designation

Property Description

Subdivision: Prestige Jolly Addition Total Number of Acres: 20.61
 Zoning Classification(s): MF (Multi-Family) Total Number of Lots: 2
 Location: Southeast Corner Westlake Rd. & Jolly Rodgers Rd.

Property Owner Information & Authorization

Name/Company: EDWARDS BRUCE LYNN & EDWARDS GARY ESTATE
 Address: 32230 Highwood green LN
 City: Conroe State: TX Zip Code: 77385
 Phone: _____ Email: _____

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate Kelly Gomez (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: Bruce Edwards Date: July 15, 2025

STATE OF: Texas

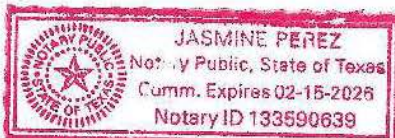
Dana Gossman
NOTARY PUBLIC STATE OF TEXAS

Jul 15, 2025

COUNTY OF: Montgomery

BEFORE ME, a Notary Public, on this day personally appeared Bruce Edwards DC#05673672 (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 15 day of July, 2025



[Signature]
 NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

- ☒ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other(specify): _____

Name: Kelly Gomez Company: KRG Civil Engineers, Inc.
 Address: 2150 South Central Expressway City: Mckinney State: Tx
 Zip Code: 75072 Number: (469) 219-3137 Email: kelly@krgcivil.com

ZONING APPLICATION

Disclosure of Interest

Disclosure Questions

Every question must be answered. If the question is not applicable, answer with "N/A".

NOTE: If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.

A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? ☐ Yes ☒ No

B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.

N/A.

C. State all information upon which you base the belief (use additional paper, if necessary).

N/A.

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): Venkat Gottipati

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: _____



*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members

**City Manager, City Secretary, City Attorney, and all department heads



ZONING APPLICATION

Recommendations

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

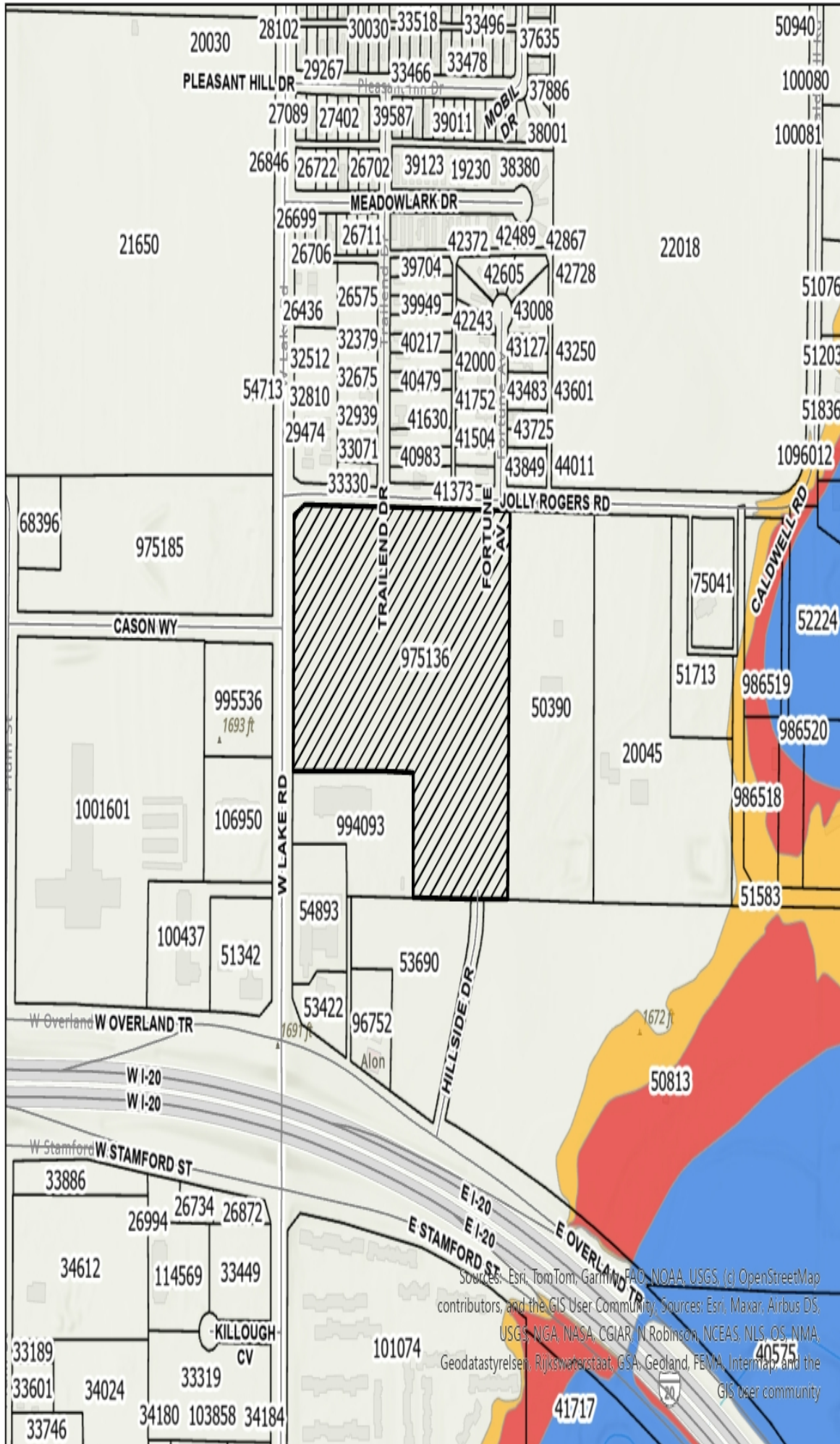
The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____

DATE: _____

16 July 2025



0.1

Miles

2-2025-32

FEMA Flood Zones

- | | |
|--|------------------|
| ■ Floodway | Floodway |
| ■ 100 Year 1% | 100 Year 1% |
| ■ 500 Year .2% | 500 Year .2% |
| ■ Unstudied A Zone | Unstudied A Zone |

Sources: Esri, TomTom, Garmin, FDOT, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

FIELD NOTES
20.61 ACRES

BEING 20.61 acres out of Section 83, Block 14, T&P RR Co Surveys, Taylor County, Texas, said 20.61 acres being the remainder of a called 25 acre tract recorded in Volume 1384, Page 96, Deed Records, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point in Jolly Rogers Road (no right-of-way found of record) called to be on the south line of L. Bowerman Survey No. 83 and the most southerly north line of said Section 83, and at the northwest corner of a called 10 acre tract recorded in Instrument No. 2017-8517, Official Public Records, Taylor County, Texas, for the northeast corner of this tract, whence the southeast corner of said Bowerman Survey is recorded to bear S89°55'E 1498.86 feet, and from said beginning point a 1/2" rebar found for reference at the northeast corner of said 10 acre tract bears S89°06'53"E 415.56 feet and S0°21'42"W 24.88 feet;

THENCE S0°21'42"W at 25.0 feet pass a 3/8" rebar set for reference on the south side of Jolly Rogers Road, and continue along for a total distance of 1047.48 feet to a 3/8" rebar found at the southwest corner of said 10 acre tract, for the southeast corner of this tract, whence a 1/2" slick rod found at the southeast corner of said 10 acre tract bears S89°11'42"E 415.56 feet;

THENCE N89°21'54"W 460.86 feet, along the SBL of this tract to a 3/8" rebar found at the southeast corner of Lot 1, Block A, Holiday Inn Addition (Cabinet 4, Slide 132, Plat Records, Taylor County, Texas) for the most southerly southwest corner of this tract;

THENCE N0°22'02"E 330.71 feet, along the EBL of said Holiday Inn Addition to a 1/2" rebar found at the northeast corner of said Holiday Inn Addition for an interior corner of this tract;

THENCE N89°03'01"W 578.92 feet, along the NBL of said Holiday Inn Addition to a point on the east right-of-way line of F.M. Highway 600 (AKA West Lake Road- 100' right-of-way) at the northwest corner of said Holiday Inn Addition, for the most northerly southwest corner of this tract, whence a 1/2" rebar found bears N89°03'01"W 1.51 feet and from said point a 1/2" rebar found at the most northerly southwest corner of said Holiday Inn Addition bears S0°14'24"W 196.52 feet;

THENCE N0°14'24"E 665.08 feet, along the east right-of-way line of F.M. Highway 600 to an existing concrete right-of-way monument at a corner clip of said highway for a corner of this tract;

THENCE N61°19'33"E 56.90 feet, along said corner clip to a 1/2" rebar found on the south side of Jolly Rogers Road for a corner of this tract;

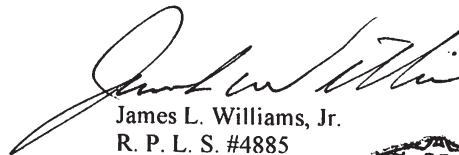
THENCE N0°14'24"E 25.00 feet, along the east right-of-way line of F.M. Highway 600 to a point in Jolly Rogers Road, and being on the south line of said Bowerman Survey and on the most southerly north line of said Section 83, for the most northerly northwest corner of this tract;

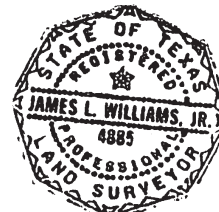
THENCE S89°06'52"E 991.47 feet, along Jolly Rogers Road and the most southerly north line of said Section 83 to the place of beginning and containing 20.61 acres of land, of which 0.57 acres are lying within Jolly Rogers Road leaving 20.04 acres net.

SEE ATTACHED PLAT.

Surveyed on the ground October 25, 2022.

Geotex Property Solutions
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
(325) 677-6712
File # 95-49-22-20.61ac
Firm Registration No. 10194134


James L. Williams, Jr.
R. P. L. S. #4885





REZONE REQUEST

Case: Z-2025-32

Owner: Bruce L Edwards

Agent: Kelly Gomez

Request: Change the zoning of approximately 20.61 acres from Agricultural Open (AO) and Medium Density (MD) to Multi-Family (MF).

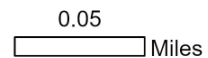
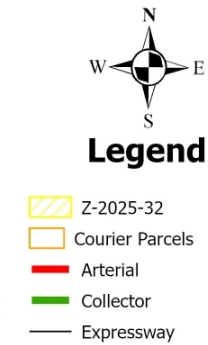
Location: 400 Block of Jolly Rogers Road

Notification: 0 in Favor, 0 in Opposition

Planning & Zoning: October 7, 2025

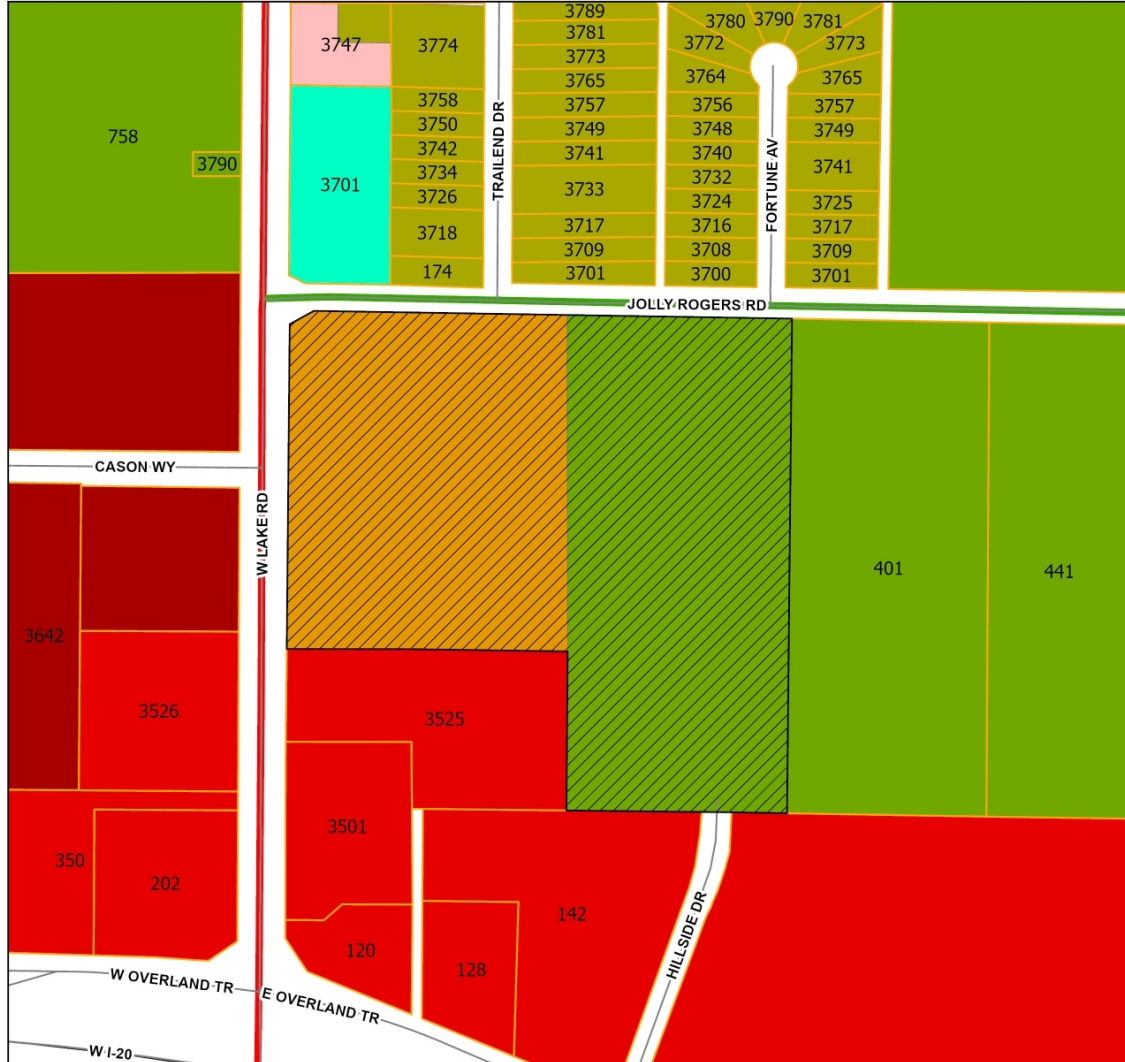
Council Hearing: October 23, 2025
November 6, 2025







ZONING MAP

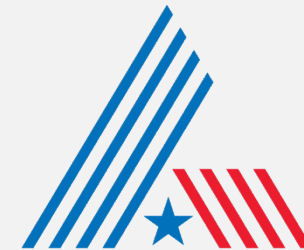


Legend

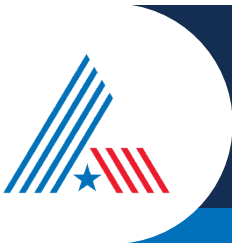
- Z-2025-32
- Courier Parcels
- PD (Planned Development)
- HC (Heavy Commercial)
- GC (General Commercial)
- NR (Neighborhood Retail)
- MH (Manufacture/ Mobile Home)
- MD (Residential - Medium Density)
- AO (Agricultural Open)
- Arterial
- Collector
- Expressway

0.05

Miles



CITY OF
ABILENE
TEXAS



USES IN AGRICULTURAL OPEN ZONING

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling— Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems*

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Fairgrounds/Rodeo
- C Motorized Racing
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- C Correction, Detention, or Penal Facilities
- P Fire/Police Station
- C Military and Armed Forces Reserve Center
- C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P School: Public/Private

SERVICE:

- C Kennel (with outdoor pens)
- P Kennel (without outdoor pens)
- P Veterinary Service (all size animals)

TRADE – RETAIL USES:

- C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Airport, Heliport and Flying Field Terminals – Commercial
- C Antenna Tower – Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Farming, Ranching & Livestock, Hatchery
- C Mining
- C Petroleum or Gas Well
- P Urban Garden

LEGEND

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





USES IN MEDIUM DENSITY ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

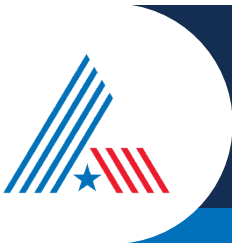
RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





USES IN MULTI-FAMILY ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
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- P Fire/Police Station
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- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





PROPERTY VIEWS



Subject property September 25, 2025 3:31 PM



North Neighboring property September 25, 2025 3:37 PM



North Neighboring property September 25, 2025 3:35 PM



South Neighboring property September 25, 2025 3:39 PM

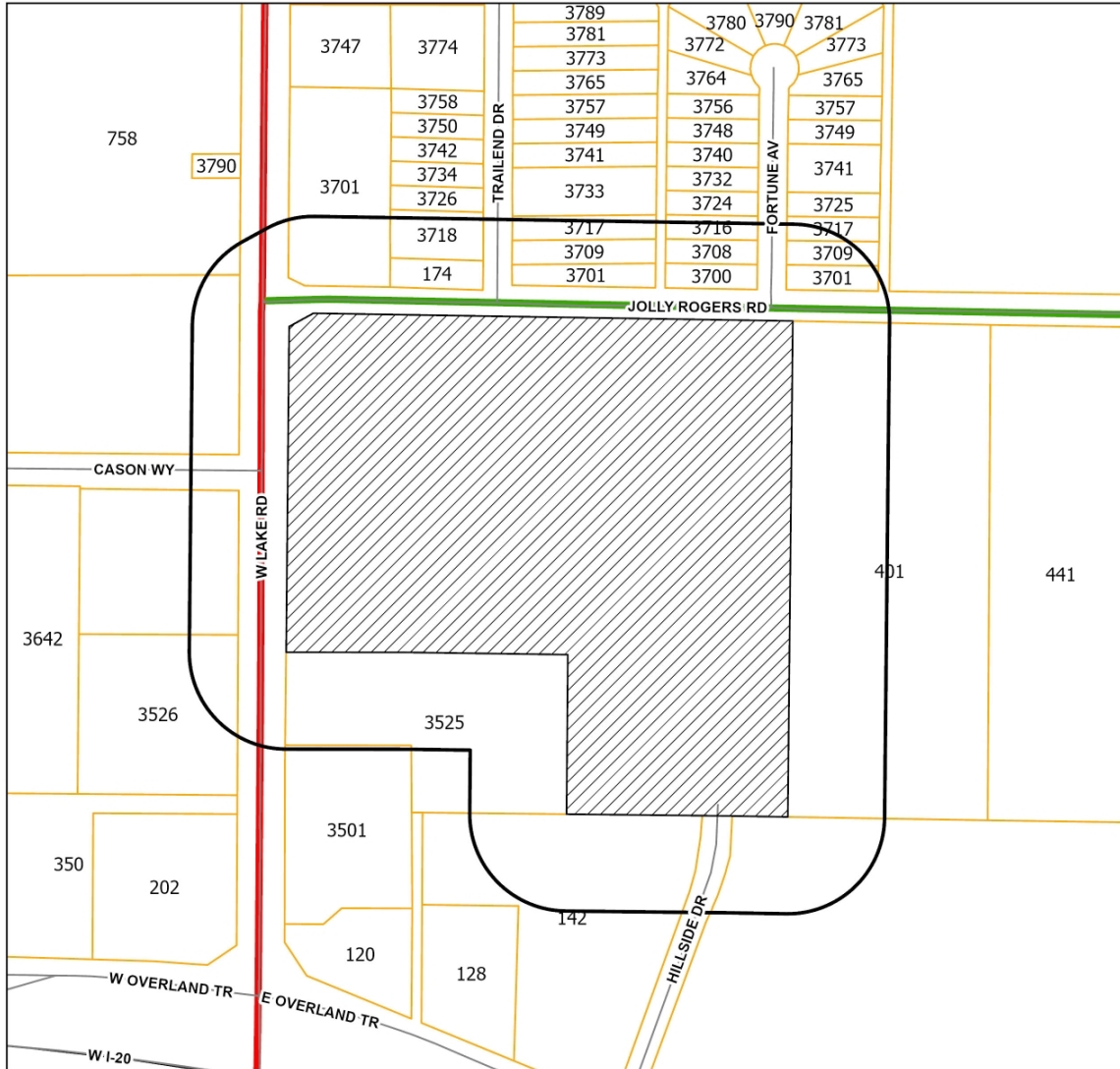


West Neighboring property





NOTIFICATION AREA MAP



Legend

- Z-2025-32
- Notification Area
- Courier Parcels
- Arterial
- Collector
- Expressway

0 - in Favor -

0 - in Opposition -





FINDINGS AND RECOMMENDATIONS

The request is consistent with:

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

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **16. Ordinance (First Reading) Z-2025-34: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 2.88 Acres From RS-8/COR And AO/COR To GR/COR. Located at 6144 Buffalo Gap Road. (Tim Littlejohn)**

GENERAL INFORMATION

The subject property was annexed into the Abilene City Limits in 1963, designated for Residential Single-Family (RS-8) and Agricultural Open (AO) zoning. It has remained primarily residential since that time. Additionally, the property is located within the Corridor Overlay, meaning that overlay requirements will apply during development.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. Staff Report
3. Proposed Site Plan
4. Owner Authorization
5. Z-2025-34 Flood
6. Legal Description
7. Presentation

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

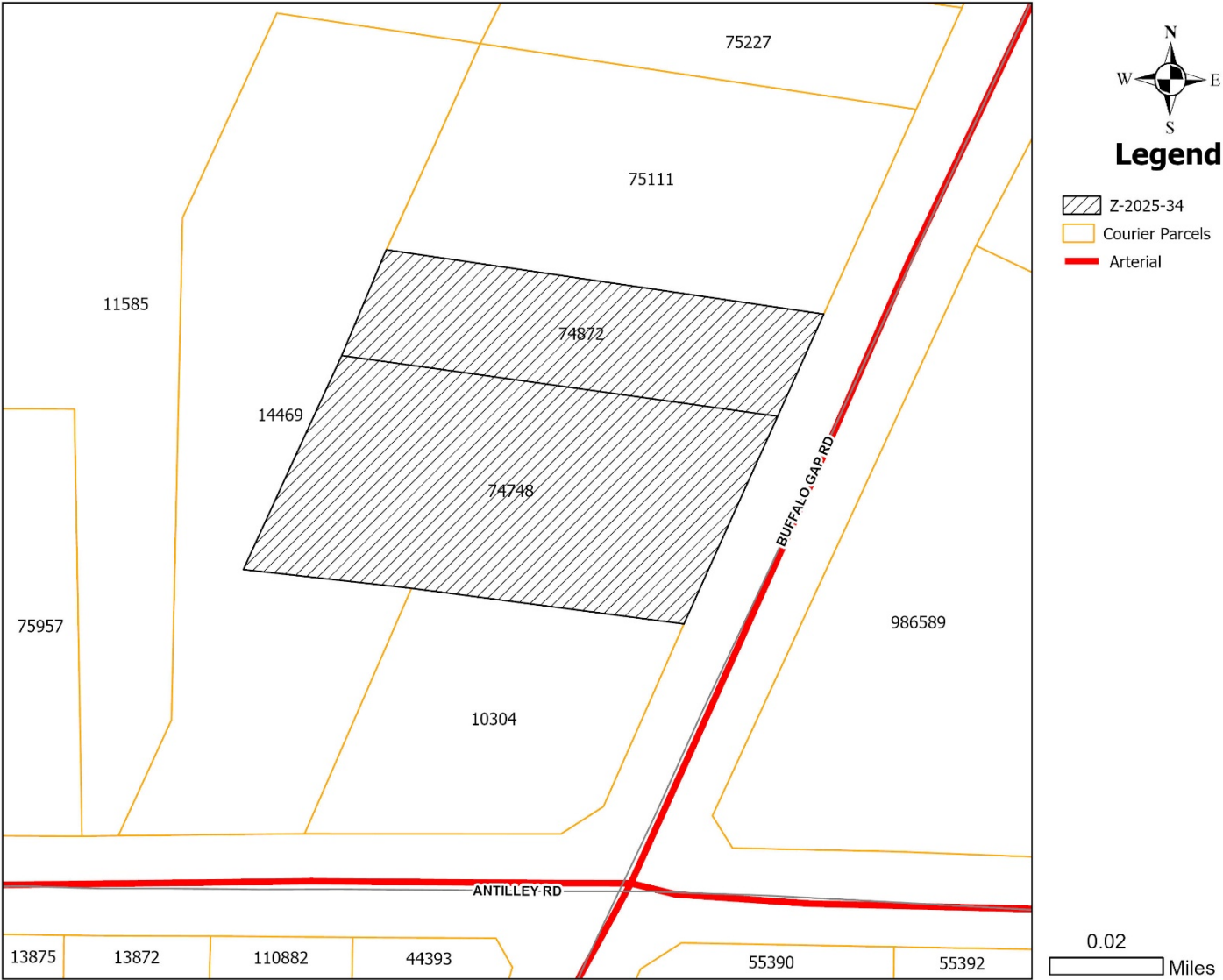
Change the zoning of approximately 2.88 acres from RS-8/COR and AO/COR to GR/COR.

Located at 6144 Buffalo Gap Road.

Legal description as follows:

- 1) **BEGINNING** at a 1/2" iron rod found in common line of the Church Lot as shown on the plat of said G.J. Roberts Subdivision and of said Lot 1, same being the west right-of-way line of Buffalo Gap Road previously dedicated and described in a Deed recorded in Volume 641, Page 249 of the Deed Records of Taylor County, Texas (DRTCT) and previously dedicated and described in a Deed recorded in Volume 645, Page 544 of the DRTCT, for the southeast corner of these plat limits, having coordinates of Northing: 6,821,348.86 and Easting: 1,574,953.17 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone, whence a concrete monument marked "TEXAS HIGHWAY DEPARTMENT" found in the west right-of-way line of said Buffalo Gap Road, bears S. 24° 50' 59" W. a distance of 201.60 feet having coordinates of Northing: 6,821,166.00 and Easting: 1,574,868.49 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;
- 2) **THENCE** N. 82° 00' 01" W., along the common line of said Lot 1 and said Church Lot, at a distance of 255.85 feet pass a 1/2" iron rod found at the north common corner of Lot 11 as shown on the plat of said G.J. Roberts Subdivision and of said Church Lot, continuing along the common line of said Lots 1 and 11 for a total distance of 414.95 feet to a 1/2" iron rod with a cap marked "RPLS 4130" found in the east line of that certain 1.96 acre tract conveyed to Wylie Independent School District as described in a Warranty Deed recorded in Volume 2027, Page 782 of the Official Public Records of Taylor County, Texas (OPRTCT), for the northwest corner of said Lot 11, the southwest corner of said Lot 1 and these plat limits;
- 3) **THENCE** N. 24° 30' 50" E., along the common line of said 1.96 acre tract and said Lot 1, at a distance of 105.07 feet pass a 1/2" iron rod with a cap marked "AMD ENGINEERING" found at the west common corner of said Lot 1 and Lot 2 of said G.J. Roberts Subdivision, continuing along the common line of said Lot 2 and said 1.96 acre tract, a distance of 210.13 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" found at the west common corner of said Lot 2 and Lot 3 of said G.J. Roberts Subdivision, continuing for a total distance of 315.20 feet for the west common corner of Lot 105 as shown on the plat of G.J. Roberts Subdivision, an addition to the City of Abilene, Taylor County, Texas, recorded in Cabinet 4, Slide 409 of the OPRTCT and said Lot 3 for the northwest corner of these plat limits, having coordinates of Northing: 6,821,693.35 and Easting: 1,574,673.08 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;
- 4) **THENCE** S. 81° 53' 25" E., along the common line of said Lot 3 and said Lot 150, a distance of 416.63 feet to a 1/2" iron rod with a cap marked "RPLS 4130" found in the west right-of-way line of Buffalo Gap Road previously dedicated and described in a Deed recorded in Volume 645, Page 542, for the northeast corner of these plat limits;
- 5) **THENCE** S. 24° 50' 59" W. a distance of 314.91 feet to the **POINT OF BEGINNING**. Bearings and coordinates are relative to the Texas Coordinate System of 1983 (2011), Texas North Central Zone, being calculated from a point of origin located at Northing: 6,821,342.80 and Easting: 1,574,913.06, with a convergence angle of (-) 00° 41' 43.10" to true north and combined scale factor of 0.999859063. Distances are at surface in U.S. survey feet.

Surveyed August 21, 2025



END

ZONING CASE

Z-2025-34

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: October 7, 2025
City Council 1st Reading: October 23, 2025
City Council 2nd Reading: November 6, 2025

Applicant

Owner: Jean Waldrop Casey
Agent: Stephen Marcum

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 2.88 acres from RS-8/COR and AO/COR to GR/COR.

Location

Located at 6144 Buffalo Gap Road. Legal description being lots 1, 2, and 3 of the G.J. Roberts Subdivision, part of the A. Greenwall Survey # 100, Abilene, Taylor County, Texas.

Background

The subject property was annexed into the Abilene City Limits in 1963, designated for Residential Single-Family (RS-8) and Agricultural Open (AO) zoning. It has remained primarily residential since that time. Additionally, the property is located within the Corridor Overlay, meaning that overlay requirements will apply during development.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	GR/COR	Mister Carwash
East	RS-8/COR	Wylie ISD
South	RS-8/COR	Church
West	AO	Wylie School

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**
The proposed use is consistent with the Comprehensive Plan.
- (2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.**

The proposed zoning would be appropriate for the area.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

This property will be subject to platting and official site plan review. All required utilities will be addressed during these review processes.

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

None known.

Planning & Zoning Commission Recommendation

P&Z recommends **approval**.

Attachments

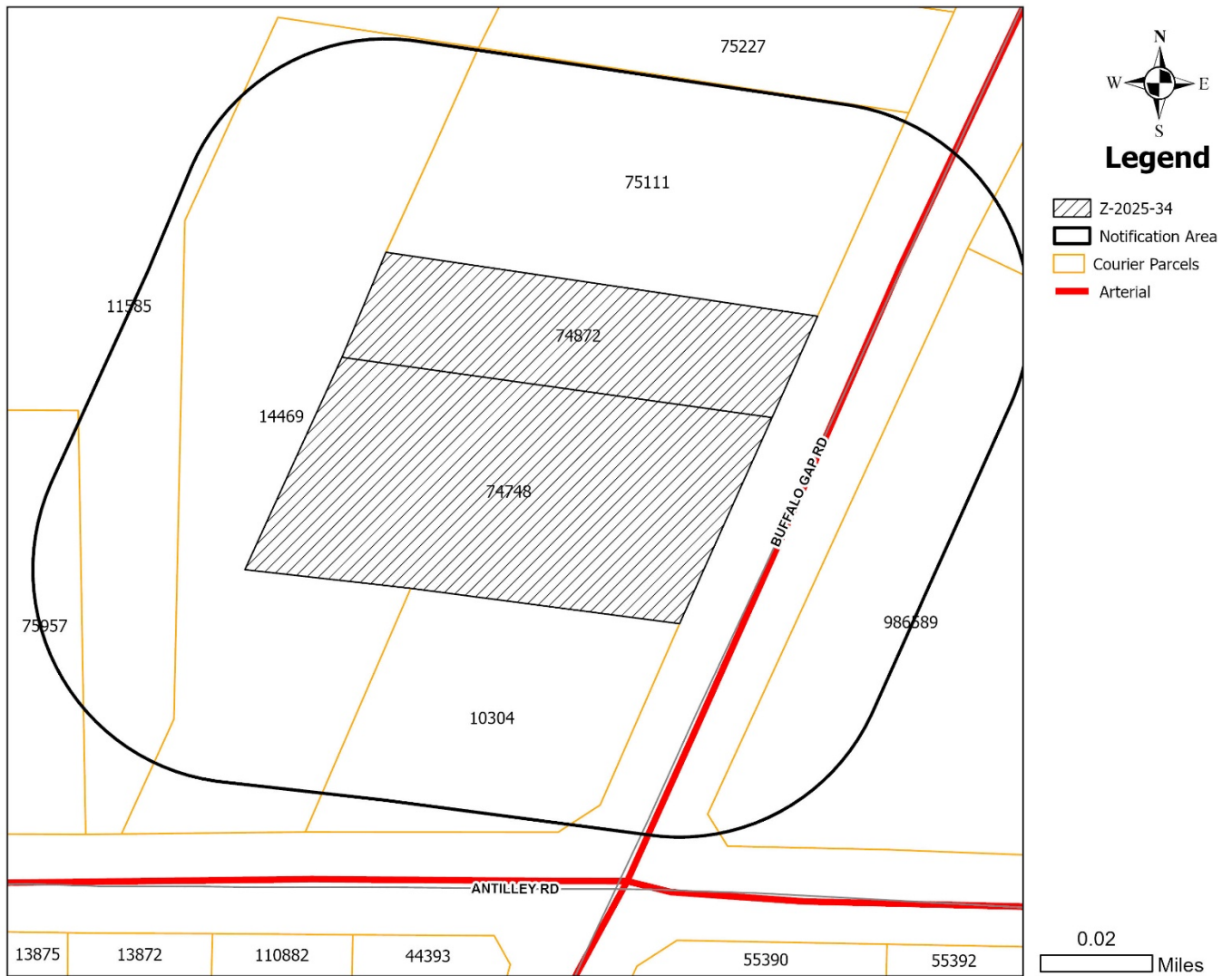
- PowerPoint Presentation
- Project Overview
- Proposed Site Plan

Notification

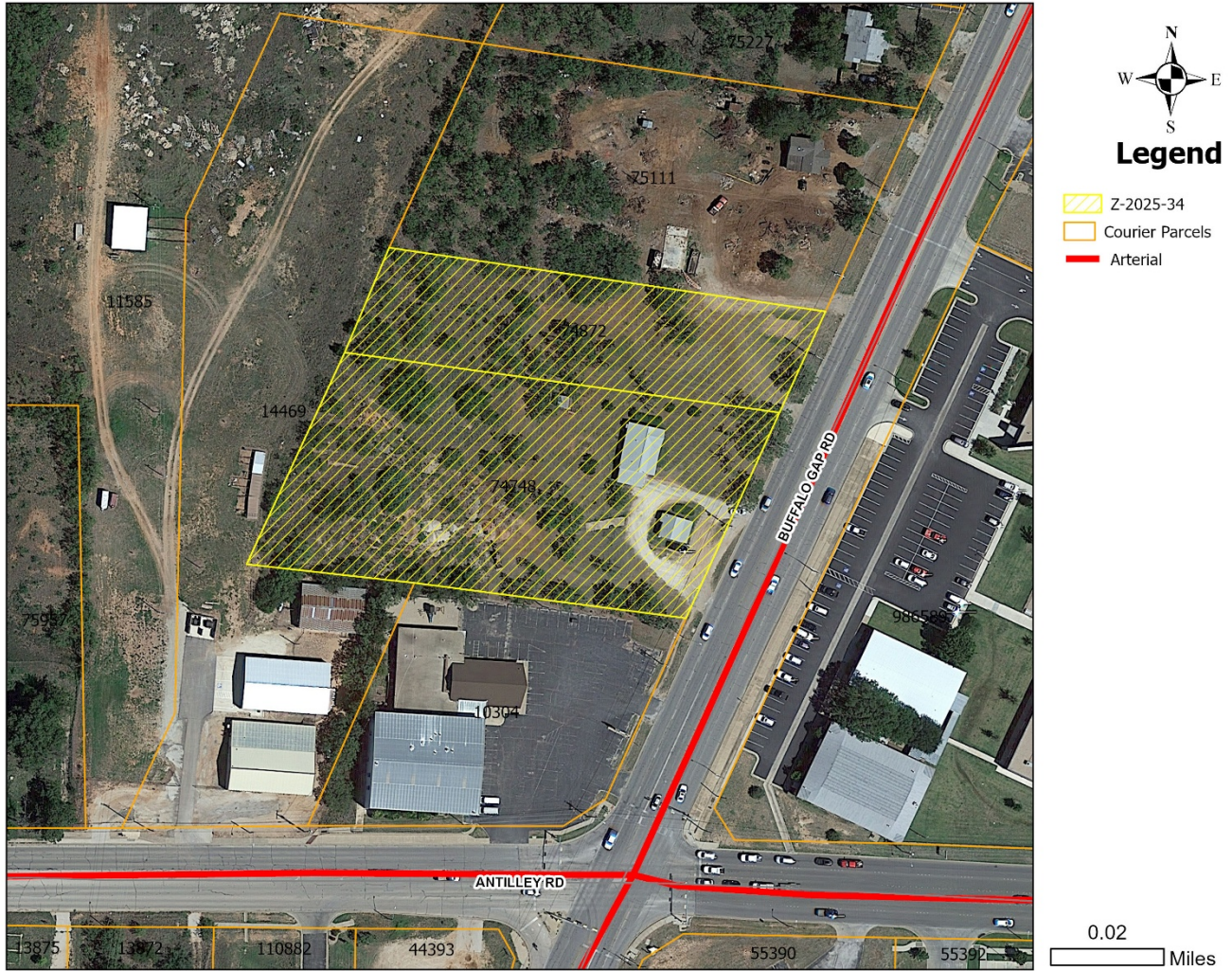
Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on September 19, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER			Legend: O - Opposed, F - In Favor
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
CASEY JEAN WALDROP	74748	6142 BUFFALO GAP RD	Owner
CASEY JEAN WALDROP	74748	6144 BUFFALO GAP RD	Owner
CASEY VELMA J	74872	6134 BUFFALO GAP RD	Owner
HUNTLEY BRIAN	75957	4102 ANTILLEY RD	
NNN REIT LP	75111	6110 BUFFALO GAP RD	
NNN REIT LP	75111	6110 1/2 BUFFALO GAP RD	
NNN REIT LP	75111	6118 BUFFALO GAP RD	
WYLIE BAPTIST CHURCH	13338		
WYLIE CHRISTIAN CHURCH	10304	6250 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	11585	4042 ANTILLEY RD	
WYLIE IND SCHOOL DIST	986589	6251 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	986589	6249 BUFFALO GAP RD	
WYLIE IND SCHOOL DIST	14469	4026 ANTILLEY RD	

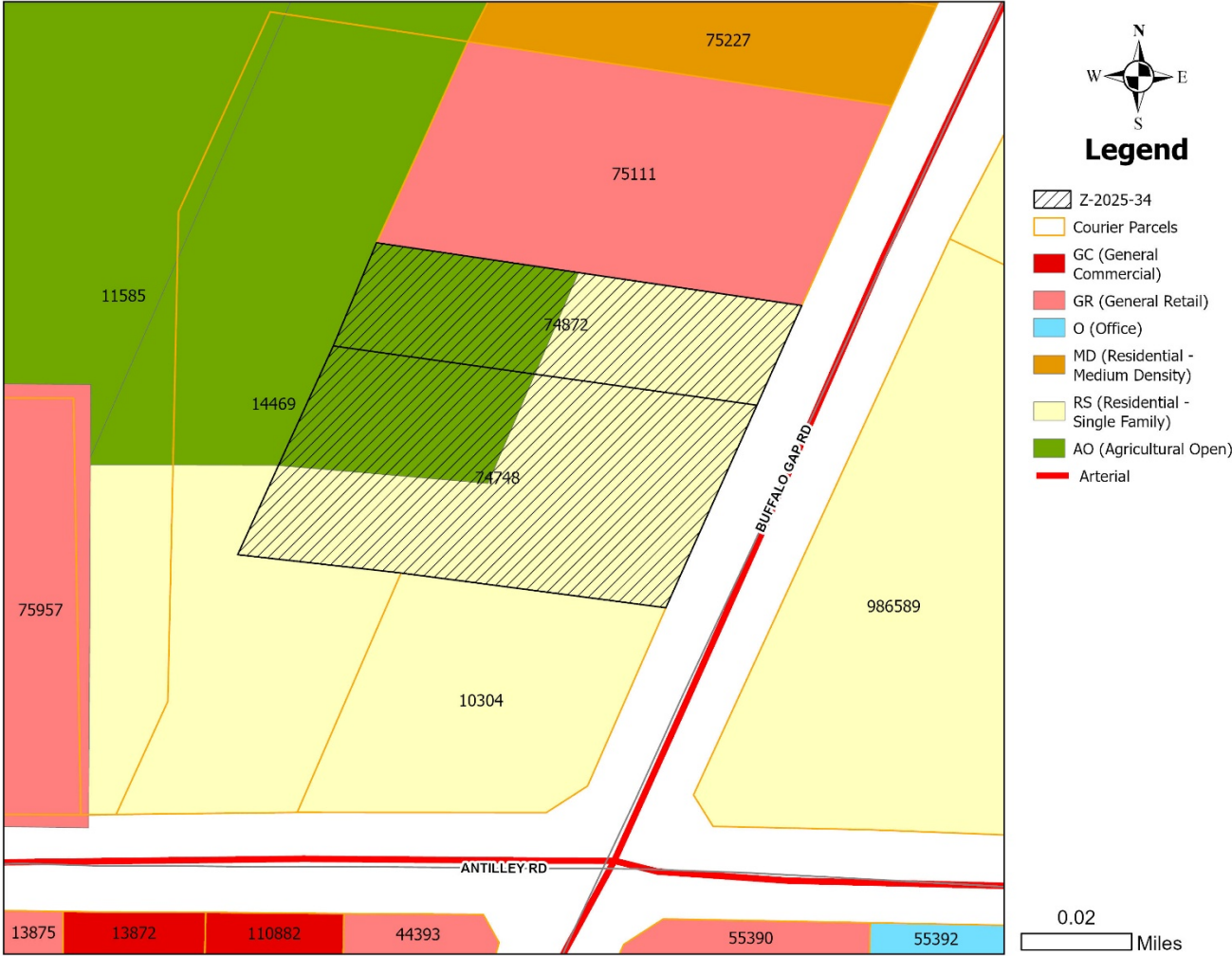
NOTIFICATION MAP

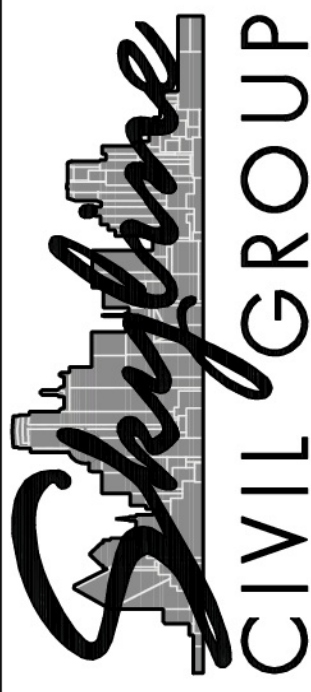
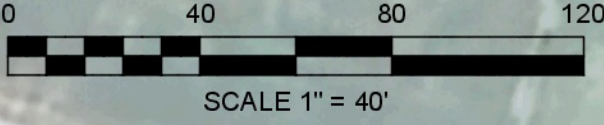


LOCATION MAP



ZONING MAP



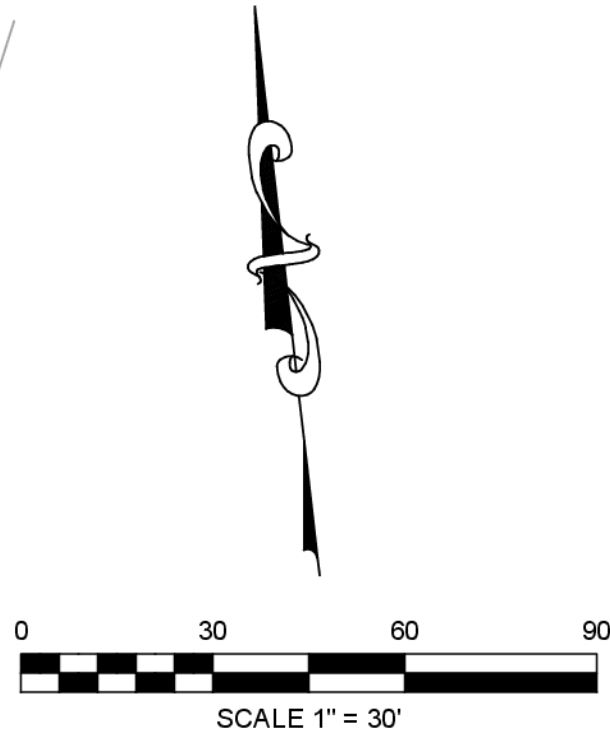
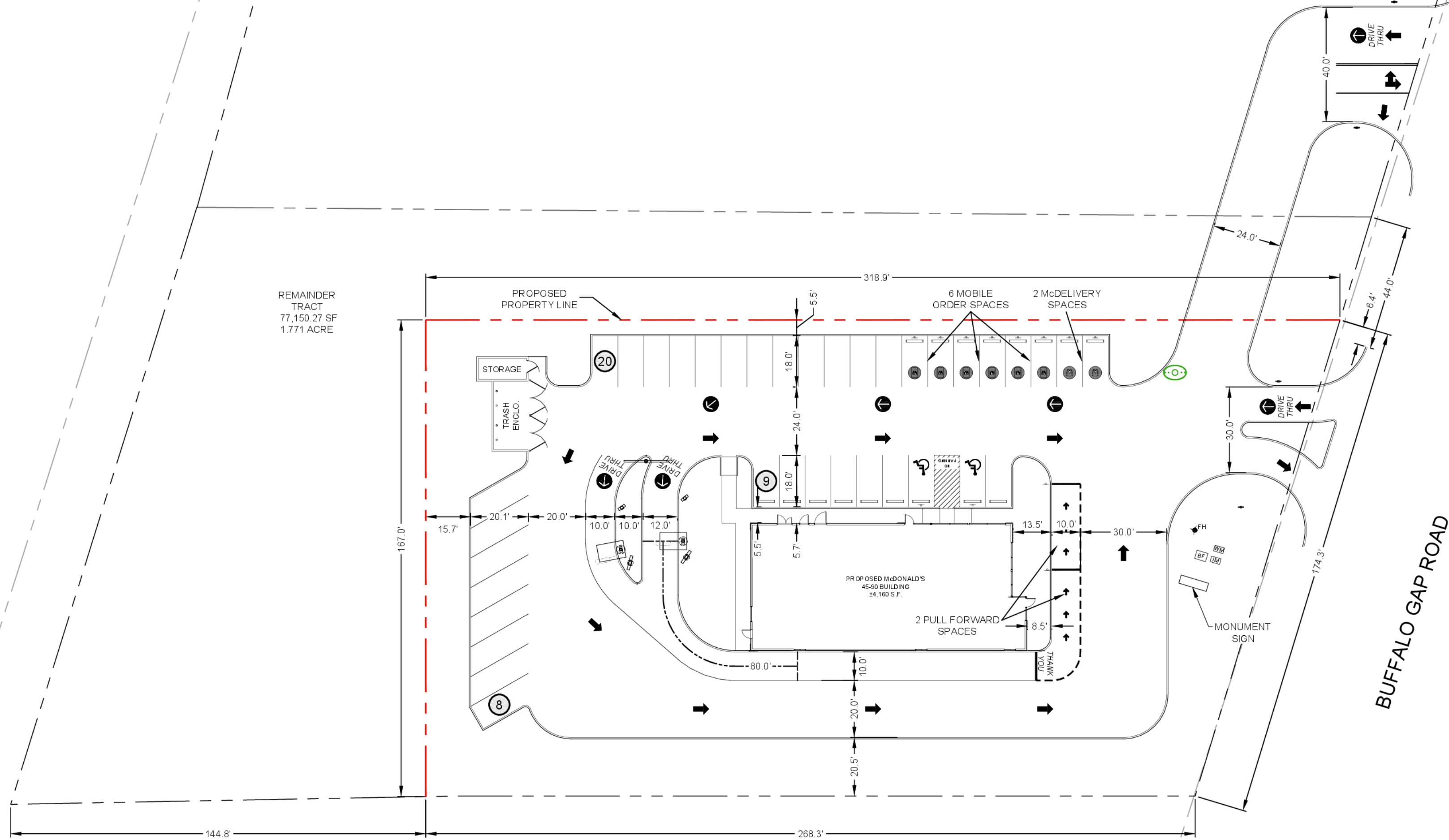
D:\SKY 2025\2025.1010 - MCDONALD'S USA, LC 42-3732 - NEW BUILD (6142 BUFFALO GAP ROAD, ABILENE, TX)\CONCEPT\X-SITE-CONCEPT G.DWG

Skyline Cml Group, LLC • Lubbock Address: 4414 82nd Street, STE 212-140, Lubbock, TX 79424
Midland Address: 3323 N. Midland Drive, STE 113-166, Midland, TX 79707
• Firm No. #A2 - 22662-0, KS - F-3126, IA - EF.00064682, OK - 8542, TX - 17171
• O: (432) 685-1226 • www.skylinecmlgroup.com

OVERALL SITE PLAN

ADDRESS 18666 JAMBOREE ROAD, STE. 850, IRVINE, CA 92612

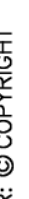
SITE LOCATION	6142 BUFFALO GAP ROAD, ABILENE, TX
PARCEL NUMBERS	PROP. ID 74748, GEO. ID A008000100
MCDONALD'S SITE AREA	48,978.156 S.F. (1.12 AC.)
EXISTING ZONING	RS-8/CO - RESIDENTIAL CORR. OV'LY. & AO/CO - AGRICULTURAL CORR. OV'LY
PROPOSED ZONING (REZONE REQ'D)	GR. GENERAL COMMERCIAL
PROPOSED USE	NEW McDONALDS RESTAURANT W/ DRIVE-THRU
PROPOSED BUILDING TYPE AND AREA	45-90 / 4,160 S.F.
PROPOSED COD TO CASH WINDOW	80.0'
ALLOWABLE BUILDING HEIGHT	40', 2 STORIES
BUILDING SETBACKS	
FRONT	30'
SIDE	20' ADJ. TO RESIDENTIAL
REAR	10'
LANDSCAPE BUFFERS	
FRONT	10' DUE TO BUFFALO GAP OVERLAY
SIDE	2.5' MIN. TO NORTH, 25% OF LS AREA ON SIDES, 20' ADJACENT TO CHURCH/SOUTH, RES. ZONING
REAR	N/A
PARKING REQUIREMENTS	1 SPACE PER 125 S.F.
RESTAURANT (MINIMUM)	N/A
RESTAURANT (MAXIMUM)	N/A
PARKING STALLS REQUIRED	33.28
MAXIMUM STALLS ALLOWED	N/A
PARKING STALLS PROVIDED	37
STACKING REQUIREMENTS	5 PER LANE FROM ORDER POINT/SPEAKER
SIGNAGE REQUIREMENTS	
MAXIMUM HEIGHT	10', MONUMENT
SETBACKS	10'
SIZE	225 SF, 1.5 SF PER LF OF FRONTAGE
SITE RISK	REZONE PLAT, RESTRICTED SIGNAGE, LANDSCAPE BUFFERS ADJ. TO RESIDENTIAL 20', ACCESS PER TX DOT, BORE WATER ACROSS BUFF. GAP

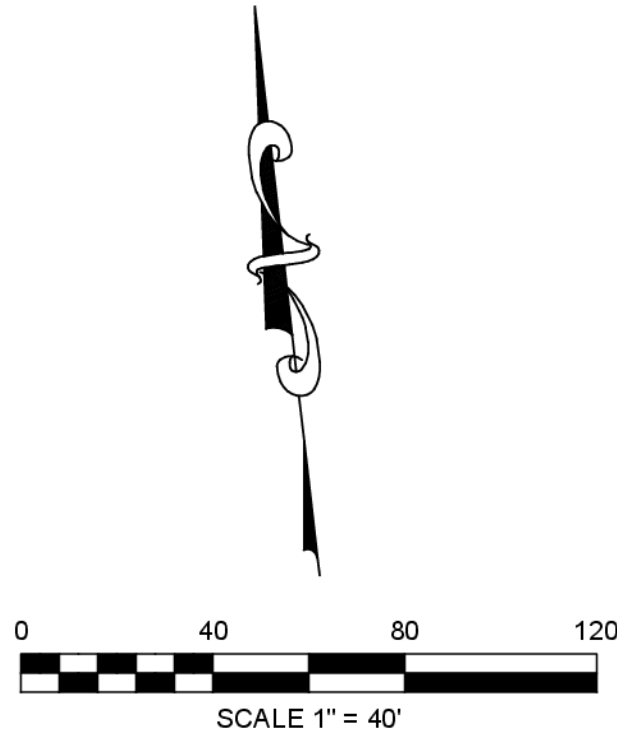


Skyline Civil Group, LLC • Lubbock Address: 4414 82nd Street, STE 212-140, Lubbock, TX 79424
Midland Address: 3323 N. Midland Drive, STE 113-166, Midland, TX 79707
• Firm No. #: AZ - 22462-0, KS - E-3126, IA - EF.0006682, OK - 8542, TX - 17171
• O: (432) 685-1226 • www.skylinecivgroup.com

SITE PLAN

[illegible]

DRAWN BY	C.L.C.
CHECKED BY	S.T.M.
DATE	MAY 2025
SHEET NO.	02 OF 03
FILE NO.	SKY2025.1010
PLAN APPROVALS	CO-SIGN SIGNATURES
SIGNATURE (2 REQUIRED)	
REGIONAL MGR.	
CONST. MGR.	
OPERATIONS DEPT.	
REAL ESTATE DEPT.	
OFFICE	LONG BEACH FIELD OFFICE
ADDRESS	1836 JAMBOREE ROAD, STE. 800 IRVINE, CA 92612
PREPARED FOR:	© COPYRIGHT
 This document contains confidential information for McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not suitable for use on a different site or at a later time. Use of these drawings for reference or reproduction of any kind without the express written consent of McDonald's USA, LLC is prohibited. Reproduction of the contract documents for reuse on another project is not authorized.	
CONTRACTOR OWNER	6142 Buffalo Gap Road Abilene, TX



Skylight Civil Group, LLC • Lubbock Address: 4414 82nd Street, STE 212-140, Lubbock, TX 79424
Midland Address: 3323 N. Midland Drive, STE 113-166, Midland, TX 79707
• Firm No.: AZ - 22662-D, KS - E-31, LA - EF-0006680, OK - 8542, TX - 17171
• O: (432) 685-1226 • www.skylightcivilgroup.com

[illegible]

TRUCK ROUTE

DRAWN BY	CHECKED BY	DATE	SHEET NO.	FILE NO.	PLAN APPROVALS	OFFICE	LONG BEACH FIELD OFFICE	ADDRESS 1836 JAMBOREE ROAD, STE. 800 IRVINE, CA 92612	42-3732	MCDONALD'S LLC
PREPARED FOR: © COPYRIGHT										
										
All McDonald's restaurants are the confidential and proprietary property of McDonald's U.S. LLC and its subsidiaries. All trademarks are the property of McDonald's U.S. LLC and its subsidiaries. All rights reserved. This document is for internal use only and is not to be distributed outside of McDonald's U.S. LLC and its subsidiaries. All documents are prepared for use on this specific site in conjunction with its issue date and are not suitable for use on a different site or at a later time. Use of these drawings for reference or replication in any other project requires the use of proper copyright acknowledgments and signatures. Reproduction of the project documents for use on another project is not authorized.										
CO-SIGN SIGNATURES					6142 Buffalo Gap Road Abilene, TX					
CONTRACTOR										
OWNER										



2025 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: GJ Roberts Total Number of Acres: 3.0
Zoning Classification(s): Ao/COR + RS-8/COR Total Number of Lots: 3
Location: ± 340' North of Buffalo Gap + Antilley Rd. Intersection, west of Buff. Gap.

Property Owner Information & Authorization

Name/Company: Jean Waldrop Casey
Address: 3472 Churney Rock Rd
City: Abilene State: Texas Zip Code: 79606
Phone: 325-692-7899 Email: jmc Casey@gmail.com

Project Representation (check one):

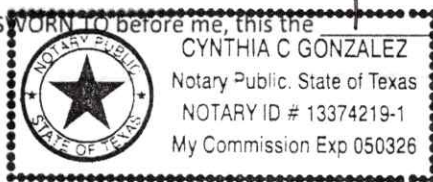
- ☐ I will represent the application myself; OR
☒ I hereby designate Stephen T. Marcum (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: Jean Waldrop Casey Date: 8-1-25
STATE OF: Texas
COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Jean Casey
(printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 1 day of August, 2025

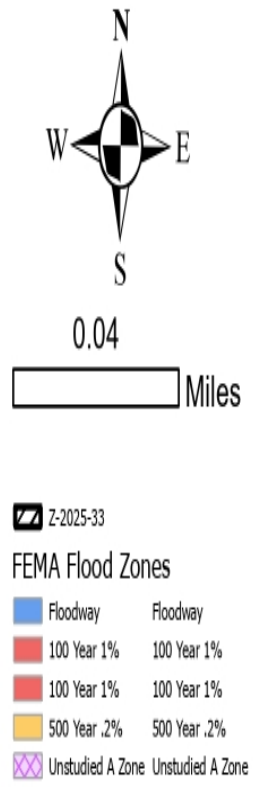
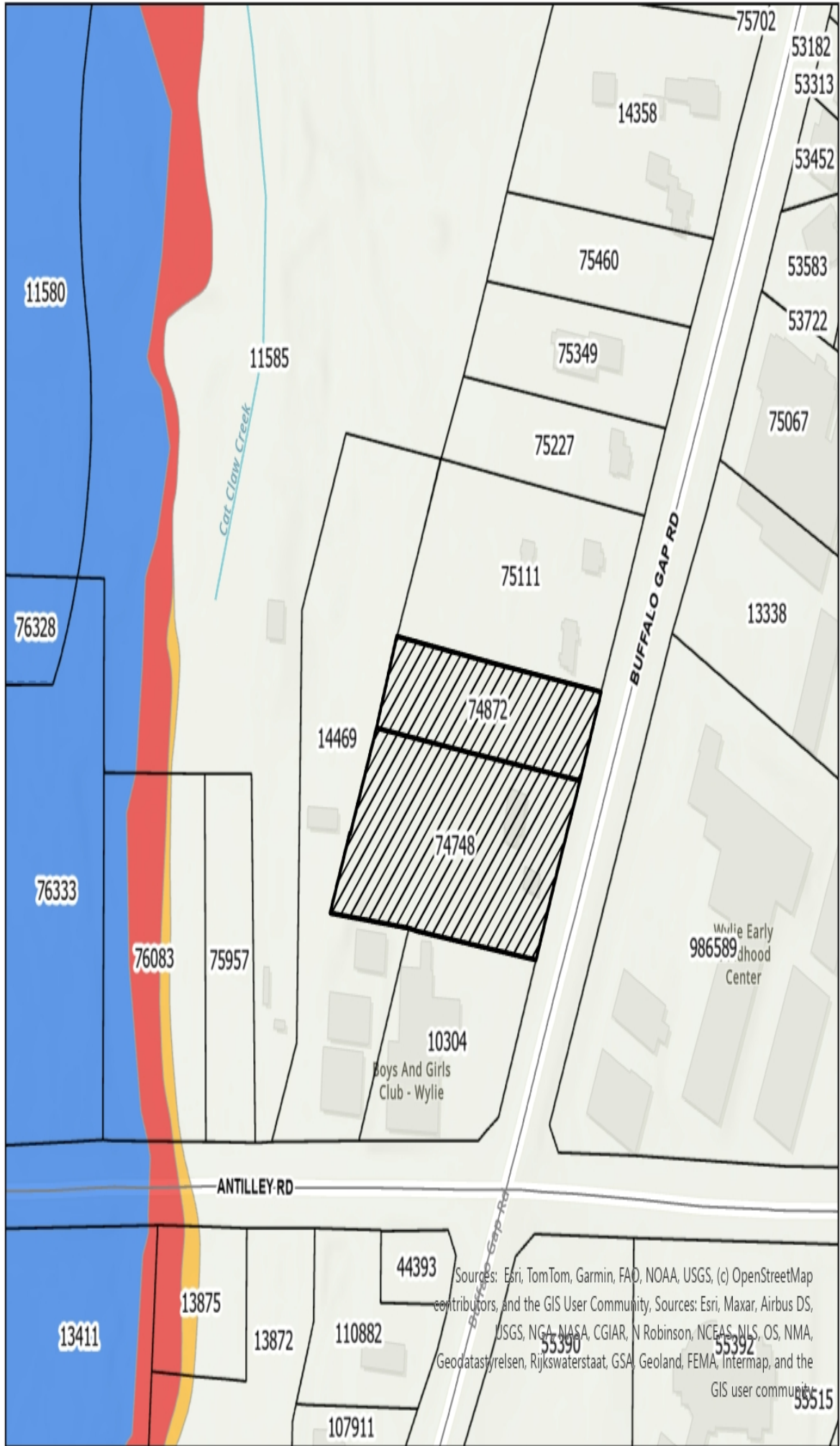


Cynthia Gonzalez
NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☒ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other(specify): _____

Name: Stephen T. Marcum Company: Skyline Civil Group, LLC
Address: 4414 B2nd Street; STE 212-140 City: Lubbock State: Tx
Zip Code: 79424 Number: (432) 230-4081 Email: smarcum@skylinecivilgroup.com



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



**PLAT LIMITS DESCRIPTION FOR
G.J. ROBERTS SUBDIVISION,
LOTS 1-A AND 2-A,
BEING A REPLAT OF A PORTION OF LOTS 1, 2 AND 3 OF,
G.J. ROBERTS SUBDIVISION OF PART OF THE
A. GREENWALL SURVEY # 100
TAYLOR COUNTY TEXAS**

Plat limits description of Lots 1-A and 2-A, being a replat of a portion of Lots 1, 2 and 3 of, G.J. Roberts Subdivision of part of the A. Greenwall Survey # 100, Taylor County, Texas, according to the map, plat and/or dedication deed thereof recorded in Volume 2, Page 58 of the Map Records of Taylor County, Texas, said plat limits contain 2.88 acres being further described by metes and bounds as follows:

1) **BEGINNING** at a 1/2" iron rod found in common line of the Church Lot as shown on the plat of said G.J. Roberts Subdivision and of said Lot 1, same being the west right-of-way line of Buffalo Gap Road previously dedicated and described in a Deed recorded in Volume 641, Page 249 of the Deed Records of Taylor County, Texas (DRTCT) and previously dedicated and described in a Deed recorded in Volume 645, Page 544 of the DRTCT, for the southeast corner of these plat limits, having coordinates of Northing: 6,821,348.86 and Easting: 1,574,953.17 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone, whence a concrete monument marked "TEXAS HIGHWAY DEPARTMENT" found in the west right-of-way line of said Buffalo Gap Road, bears S. 24° 50' 59" W. a distance of 201.60 feet having coordinates of Northing: 6,821,166.00 and Easting: 1,574,868.49 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;

2) **THENCE** N. 82° 00' 01" W., along the common line of said Lot 1 and said Church Lot, at a distance of 255.85 feet pass a 1/2" iron rod found at the north common corner of Lot 11 as shown on the plat of said G.J. Roberts Subdivision and of said Church Lot, continuing along the common line of said Lots 1 and 11 for a total distance of 414.95 feet to a 1/2" iron rod with a cap marked "RPLS 4130" found in the east line of that certain 1.96 acre tract conveyed to Wylie Independent School District as described in a Warranty Deed recorded in Volume 2027, Page 782 of the Official Public Records of Taylor County, Texas (OPRTCT), for the northwest corner of said Lot 11, the southwest corner of said Lot 1 and these plat limits;

3) **THENCE** N. 24° 30' 50" E., along the common line of said 1.96 acre tract and said Lot 1, at a distance of 105.07 feet pass a 1/2" iron rod with a cap marked "AMD ENGINEERING" found at the west common corner of said Lot 1 and Lot 2 of said G.J. Roberts Subdivision, continuing along the common line of said Lot 2 and said 1.96 acre tract, a distance of 210.13 feet to a 1/2" iron rod with a cap marked "AMD ENGINEERING" found at the west common corner of said Lot 2 and Lot 3 of said G.J. Roberts Subdivision, continuing for a total distance of 315.20 feet for the west common corner of Lot 105 as shown on the plat of G.J. Roberts Subdivision, an addition to the City of Abilene, Taylor County, Texas, recorded in Cabinet 4, Slide 409 of the OPRTCT and said Lot 3 for the northwest corner of these plat limits, having coordinates of Northing: 6,821,693.35 and Easting: 1,574,673.08 of the Texas Coordinate System of 1983 (2011), Texas North Central Zone;

4) **THENCE** S. 81° 53' 25" E., along the common line of said Lot 3 and said Lot 150, a distance of 416.63 feet to a 1/2" iron rod with a cap marked "RPLS 4130" found in the west right-of-way line of Buffalo Gap Road previously dedicated and described in a Deed recorded in Volume 645, Page 542, for the northeast corner of these plat limits;

5) **THENCE** S. 24° 50' 59" W. a distance of 314.91 feet to the **POINT OF BEGINNING**. Bearings and coordinates are relative to the Texas Coordinate System of 1983 (2011), Texas North Central Zone, being calculated from a point of origin located at Northing: 6,821,342.80 and Easting: 1,574,913.06, with a convergence angle of (-) 00° 41' 43.10" to true north and combined scale factor of 0.999859063. Distances are at surface in U.S. survey feet.

Surveyed August 21, 2025

250310 – G.J. Roberts Subdivision, Lots 1-A and 2-A



REZONE REQUEST

Case: Z-2025-34

Owner: Jean Waldrop Casey

Agent: Stephen Marcum

Request: Change the zoning of approximately 2.88 acres from RS-8/COR and AO/COR to GR/COR

Location: 6144 Buffalo Gap Road

Notification: 0 in Favor, 0 in Opposition

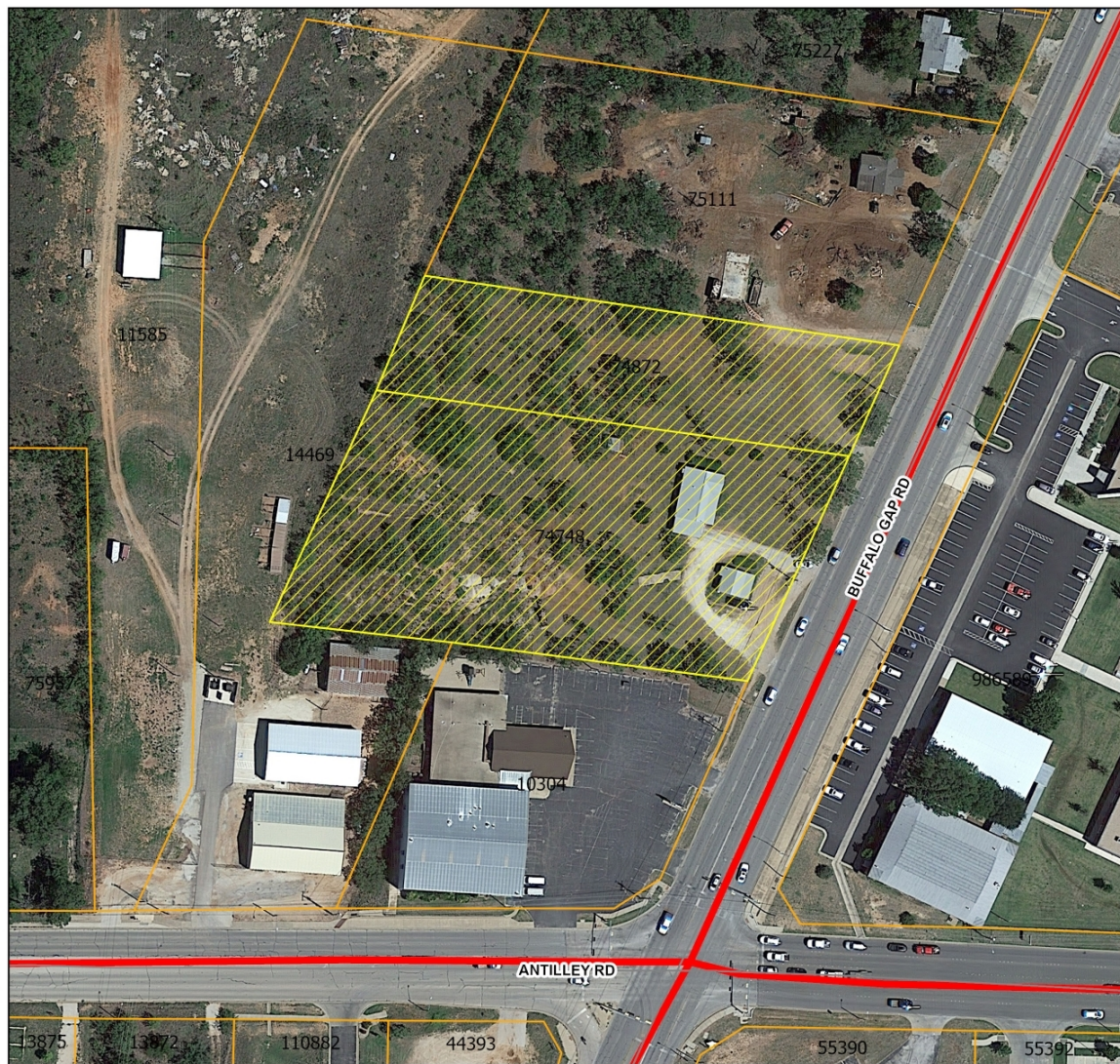
Planning & Zoning: October 7, 2025

Council Hearing: October 23, 2025
November 6, 2025





AERIAL LOCATION MAP

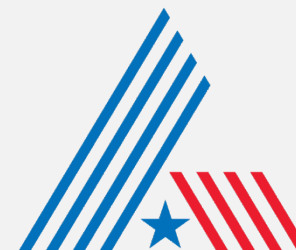


Legend

-  Z-2025-34
-  Courier Parcels
-  Arterial

0.02

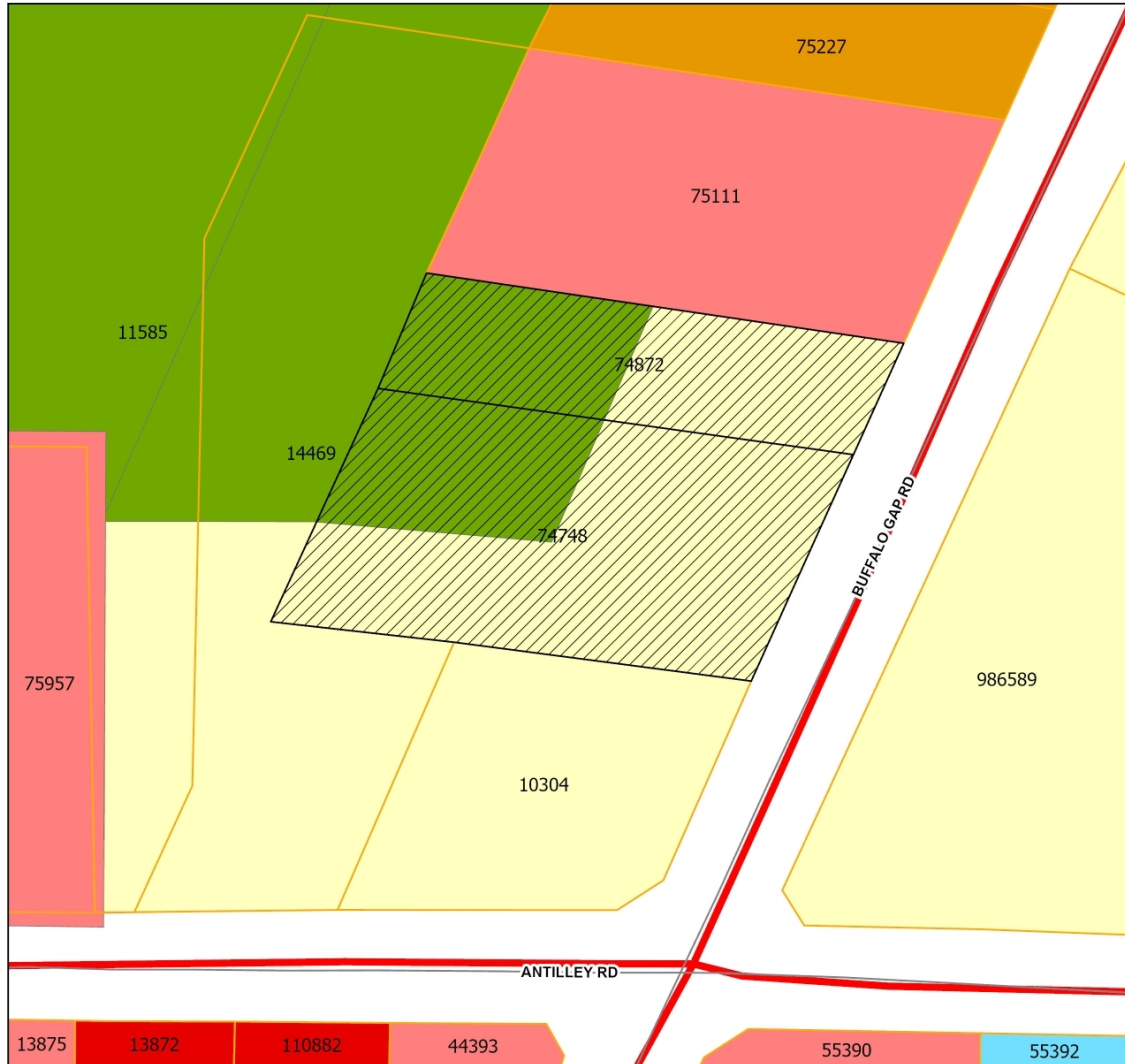
Miles



CITY OF
ABILENE
TEXAS



ZONING MAP

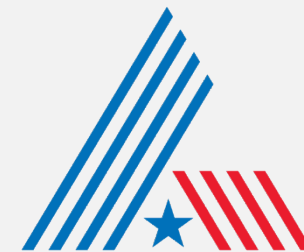


Legend

- Z-2025-34
- Courier Parcels
- GC (General Commercial)
- GR (General Retail)
- O (Office)
- MD (Residential - Medium Density)
- RS (Residential - Single Family)
- AO (Agricultural Open)
- Arterial

0.02

Miles



CITY OF
ABILENE
TEXAS



USES IN AGRICULTURAL OPEN ZONING

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling— Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems*

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Fairgrounds/Rodeo
- C Motorized Racing
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- C Correction, Detention, or Penal Facilities
- P Fire/Police Station
- C Military and Armed Forces Reserve Center
- C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P School: Public/Private

SERVICE:

- C Kennel (with outdoor pens)
- P Kennel (without outdoor pens)
- P Veterinary Service (all size animals)

TRADE – RETAIL USES:

- C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Airport, Heliport and Flying Field Terminals – Commercial
- C Antenna Tower – Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Farming, Ranching & Livestock, Hatchery
- C Mining
- C Petroleum or Gas Well
- P Urban Garden

LEGEND

P

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

C

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

TP

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





USES IN RESIDENTIAL ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





USES IN GENERAL RETAIL ZONING

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- C Dwelling – Multiple-Family
- P Dwelling – Single Family Detached
- P Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home Based
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- P Garage Sales
- P Home Occupation
- TP Itinerant Business
- P Manufacturing (incidental)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- P Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE:

- P/C Automobile Wash
- C Funeral Home/ Mortuary/Morgue
- P Kennel (Without Outdoor Pens)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

TRADE – RETAIL USES:

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)
- C Retail Sales/Rental (outdoors, non-vehicle)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower- Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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





PROPERTY VIEWS



Subject property

September 25, 2025 3:55 PM



North Neighboring property

September 25, 2025 3:56 PM



South Neighboring property

September 25, 2025 3:57 PM



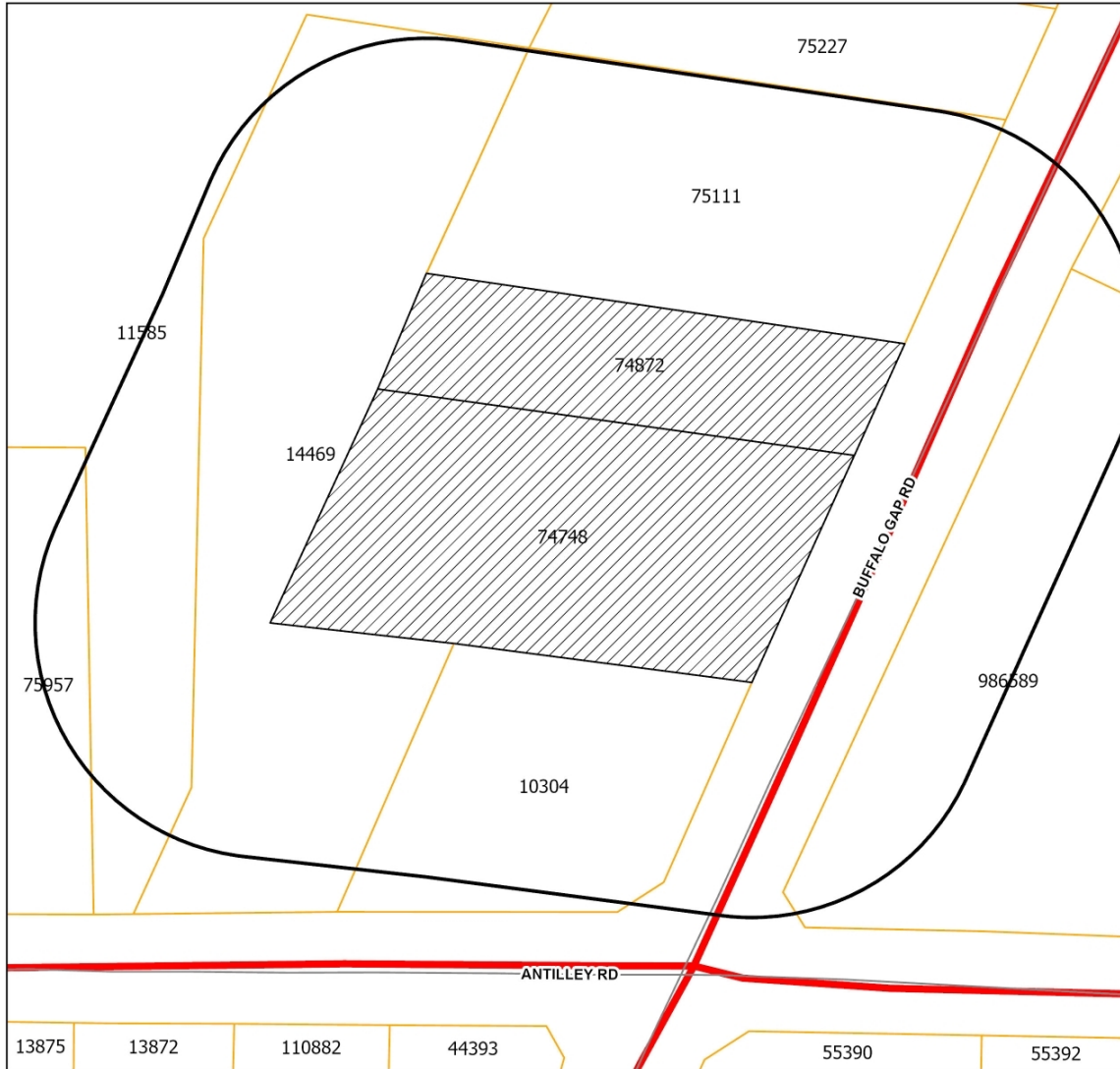
East Neighboring property

September 25, 2025 3:57 PM





NOTIFICATION AREA MAP

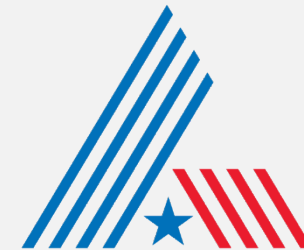


Legend

- Z-2025-34
- Notification Area
- Courier Parcels
- Arterial

0 - in Favor -

0 - in Opposition -



CITY OF
ABILENE
TEXAS

0.02

Miles



FINDINGS AND RECOMMENDATIONS

The request is consistent with:

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

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **17. Ordinance (First Reading) Z-2025-35: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Amend The Terms And Conditions Of A Planned Development District (PDD-136). Located at 1699 S. 1st Street (Tim Littlejohn)**

GENERAL INFORMATION

In 2011, Ordinance No. 48-2011 established a Planned Development District, PDD-136, allowing the building to be used for commercial purposes while requiring that its historic appearance remains visible from South First Street and Grape Street. As part of the ongoing Abilene Heritage Square development, a new wing is planned as an addition to the original historic building. To facilitate this expansion, an amendment to PDD-136 would need to be approved to allow for the inclusion of a drive-thru library book return, which will be integrated into the main building. The amendment to the Planned Development District will continue with the original intent of preserving the historic character of the main building as viewed from South First and Grape Streets.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. staff report
3. Application
4. Red Line Version
5. PDD-136 (Lincoln Middle School)
6. PD Verbage
7. New PD Verbage
8. Z-2025-35 Flood
9. presentation

BACKUP DOCUMENTATION UPDATED? Yes

UPDATED ON: 10/21/2025

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CONCERNING PDD-136 AND ORDINANCE NO. 48-2011 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23 of the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 48-2011, as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

1st Amendment to Ordinance No. 48-2011

Located at 1699 South 1st Street, Abilene, Taylor County, Texas.

Legal description being Block 184, Lot 101 of Original Town Abilene,

AMEND: PART 7: Specific Modifications: This Planned Development shall be subject to the requirements of the General Commercial (GC) zoning district, except as modified below.

A. PERMITTED USES:

- **REMOVE:** Drive Thru Facility, not in main building
- **ADD:** Drive Thru Facility as approved by the Landmarks Commission

B. SITE DEVELOPMENT

3. **REMOVE:** The existing window openings must be preserved either with windows or the appearance of windows on the front and side facades of the main building.
ADD: Window openings that exist in internal spaces created by new construction and not appearing on the front or east façade of the main building may be selectively filled in with material of the owner's choice.



ZONING APPLICATION

Zoning Application Page 1 of 3

Planning

- | | | |
|---|---|---|
| ☐ Conditional Use Permit | ☐ Rezoning | ☐ Easement Release |
| ☒ PDD Amendment | ☐ Street Name Change | ☐ Thoroughfare Abandonment |

Relief Procedures

- | | | | |
|--|---|---|---------------------------------|
| ☐ Petition for Relief | ☐ Proportionality Appeal | ☐ Vested Rights Petition | ☐ Appeal |
|--|---|---|---------------------------------|
- Other: _____

Project Name: Abilene Heritage Square, Inc.

Address: 1699 South First Street Number of Lots: 3 Acreage: 8.93 ac + or -

Legal Description: Old Town Abilene, Lots 1, 2 and 3

Subdivision Name: OT Abileme Block: 184 Lot: 1, 2 and 3

Current Zoning: Planned Development Proposed Zoning (if applicable): Planned Development

OWNER AND AUTHORIZATION

Owner Name: Abilene Heritage Square, Inc.

Address: 1699 South First Street

City, State, Zip: Abilene, Texas 79602

Fax: _____

Phone: (325) 677-1367

Email: admin@abileneheritagesquare.org

Agent Name: William D. Minter

Address: 742 Davis Drive

City, State, Zip: Abilene, Texas 79605

Fax: _____

Phone: (325) 829-0617

Email: admin@abileneheritagesquare.org

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: _____

Date: August 29, 2025

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____

ZONING APPLICATION

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--------------------------------|--|--|-------------------------------|
| ☐ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☒ PD | Planned Development District |
| ☐ CU | College & University | ☐ MF | Multi-Family |
| ☐ NO | Neighborhood Office | ☐ | Neighborhood Empowerment Zone |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

The reason for our request for amendment to PD-136 is to ensure compliance with the ordinances of the City of Abilene in regard to this historic structure when the building is ready for occupancy.

Minor changes in subsection A "Permitted Uses" and B "Site Development" are needed.

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.

ZONING APPLICATION

Zoning Application Page 3 of 3

Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

Yes. The property is in an Empowerment Zone.

2. Is the use permitted by the proposed change in the zoning district's classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

The requested change will ensure that the Public Library will be able to offer a drive-by book drop.

The change should have no effect on the district's classification, or other uses in the immediate area.

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

Yes. The current Main Branch of the Abilene Public Library does offer a drive-by book drop.

The book drop was included in the Program documents approved by city staff in planning for the new facility.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

The location of the planned drive-by book drop was chosen because it is the safest location for such a book drop on the property.

Other Required Forms - Disclosure of Interest (See Attached)

ZONING APPLICATION

Owner Authorization and Representative Designation

Property Description

Subdivision: Original Town Abilene

Zoning Classification(s): Planned Development

Location: 1699 South First Street

Total Number of Acres: 8.93 + or -

Total Number of Lots: 3

Property Owner Information & Authorization

Name/Company: Abilene Heritage Square, Inc.

Address: 1699 South 1st St. ---- (Mailing) P.O. Box 1699

City: Abilene

State: Texas

Zip Code: 79605

Phone: (325) 677-1367

Email: admin@abileneheritagesquare.org

Project Representation (check one):

☒ I will represent the application myself; OR

☐ I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: _____

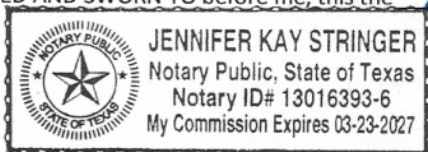
Date: August 28, 2025

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared William D. Minter (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 29 day of August, 20 25



NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☐ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☒ Other(specify): Vice President

Name: William D. Minter

Address: P.O. Box 1699

Zip Code: 70602

Number: 325-829-0617

Company: Abilene Heritage Square, Inc.

City: Abilene

State: Texas

Email: admin@abileneheritagesquare.org

ZONING APPLICATION

Disclosure of Interest

Disclosure Questions

Every question must be answered. If the question is not applicable, answer with "N/A".

*NOTE: If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.*

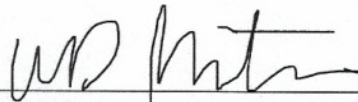
- A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? ☐ Yes ☒ No
- B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.
- _____
- _____
- C. State all information upon which you base the belief (use additional paper, if necessary).
- _____
- _____

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): William D. Minter

Property Owner ☐ Project Representative ☒ **Project Representative**

Signature of Certifying Person: _____



*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members

**City Manager, City Secretary, City Attorney, and all department heads

ZONING APPLICATION

Recommendations

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____



DATE: August 28, 2025



ZONING APPLICATION

Zoning Application Page 1 of 3

Planning

- ☐ Conditional Use Permit ☐ Rezoning ☐ Easement Release
☒ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment

Relief Procedures

- ☐ Petition for Relief ☐ Proportionality Appeal ☐ Vested Rights Petition ☐ Appeal
Other: _____

Project Name: Abilene Heritage Square, Inc.

Address: 1699 South First Street Number of Lots: 3 Acreage: 8.93 ac + or -

Legal Description: Old Town Abilene, Lots 1, 2 and 3

Subdivision Name: OT Abileme Block: 184 Lot: 1, 2 and 3

Current Zoning: Planned Development Proposed Zoning (if applicable): Planned Development

OWNER AND AUTHORIZATION

Owner Name: Abilene Heritage Square, Inc.

Address: 1699 South First Street

City, State, Zip: Abilene, Texas 79602

Fax: _____

Phone: (325) 677-1367

Email: admin@abileneheritagesquare.org

Agent Name: William D. Minter

Address: 742 Davis Drive

City, State, Zip: Abilene, Texas 79605

Fax: _____

Phone: (325) 829-0617

Email: admin@abileneheritagesquare.org

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: _____

Date: August 29, 2025

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____

ZONING APPLICATION

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--------------------------------|--|--|-------------------------------|
| ☐ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☐ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☒ PD | Planned Development District |
| ☐ CU | College & University | ☐ MF | Multi-Family |
| ☐ NO | Neighborhood Office | ☐ | Neighborhood Empowerment Zone |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

The reason for our request for amendment to PD-136 is to ensure compliance with the ordinances of the City of Abilene in regard to this historic structure when the building is ready for occupancy.

Minor changes in subsection A "Permitted Uses" and B "Site Development" are needed.

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.

ZONING APPLICATION

Zoning Application Page 3 of 3

Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

Yes. The property is in an Empowerment Zone.

2. Is the use permitted by the proposed change in the zoning district's classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

The requested change will ensure that the Public Library will be able to offer a drive-by book drop.

The change should have no effect on the district's classification, or other uses in the immediate area.

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

Yes. The current Main Branch of the Abilene Public Library does offer a drive-by book drop.

The book drop was included in the Program documents approved by city staff in planning for the new facility.

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

The location of the planned drive-by book drop was chosen because it is the safest location for such a book drop on the property.

Other Required Forms - Disclosure of Interest (See Attached)



ZONING APPLICATION

Owner Authorization and Representative Designation

Property Description

Subdivision: Original Town Abilene

Zoning Classification(s): Planned Development

Location: 1699 South First Street

Total Number of Acres: 8.93 + or -

Total Number of Lots: 3

Property Owner Information & Authorization

Name/Company: Abilene Heritage Square, Inc.

Address: 1699 South 1st St. --- (Mailing) P.O. Box 1699

City: Abilene

State: Texas

Zip Code: 79605

Phone: (325) 677-1367

Email: admin@abileneheritagesquare.org

Project Representation (check one):

☒ I will represent the application myself; OR

☐ I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: _____

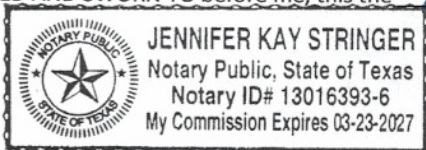
Date: August 28, 2025

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared William D. Minter (printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 29 day of August, 20 25



NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☐ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☒ Other(specify): Vice President

Name: William D. Minter

Address: P.O. Box 1699

Zip Code: 70602

Company: Abilene Heritage Square, Inc.

City: Abilene

State: Texas

Email: admin@abileneheritagesquare.org

ZONING APPLICATION

Disclosure of Interest

Disclosure Questions

Every question must be answered. If the question is not applicable, answer with "N/A".

NOTE: If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.

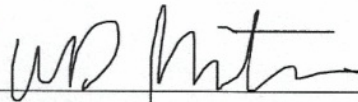
- A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? ☐ Yes ☒ No
- B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.
- C. State all information upon which you base the belief (use additional paper, if necessary).

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): William D. Minter

Property Owner ☐ Project Representative ☒ Project Representative

Signature of Certifying Person: _____



*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members

**City Manager, City Secretary, City Attorney, and all department heads

ZONING APPLICATION

Recommendations

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____



DATE: August 28, 2025

ORDINANCE NO. 48-2011

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-136 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

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

PASSED ON FIRST READING this 27th day of October AD. 2011.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 15th day of September, 2011, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 3rd day of November, 2011, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 3rd day of November, AD. 2011.

ATTEST:



CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. 48 2011

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the general Land Development Code of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart B, Abilene Municipal Code, known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From MD (Medium Density Residential) to PD (Planned Development).

That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

ORDINANCE NO. 48-2011

EXHIBIT "A"

PAGE2

PART 5: Legal Description. The legal description of this PD is as follows:

Old Town Abilene, Block 184, Lots 1, 2 & 3

Location: 1699 S. 1st Street

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for commercial development and related activities for re-use of a building, while maintaining the general historic appearance of the main building as viewed from South First and Grape Streets.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GC (General Commercial) zoning district, except as modified below.

A. PERMITTED USES:

All uses permitted in the GC (General Commercial) zoning district listed in the Land Development Code, to include the following as permitted uses:

- Drive Thru Facility, ~~not in main building as approved by the Landmarks Commission~~
- Dwelling- Multiple-Family
- Dwelling - Institutional
- Recreation Building, Multipurpose
- Swimming Pool, private
- Tennis Court, private
- Personal Care Facility

The following uses are not permitted:

- Drive Thru Facility, in main building
- Fuel Sales
- Kennel
- Repair and Maintenance Services -Automobile/Small Truck (Major)
- Repair and Maintenance Services - Automobile/Small Truck (Minor)
- Retail Sales/Rental of vehicles, including automobile and small truck and large truck and other large vehicles and equipment)
- Taxidermist

B. SITE DEVELOPMENT

The development shall comply with the requirements of the Land Development Code with the following exceptions and additions:

1. The property owner shall acquire City approval before seeking to demolish the main building. The Landmarks Commission shall be the approval organization for such request through the processes and procedures outlined for Historic Overlay zoned properties.
2. The property owner shall be responsible for preservation of the visibility of the front facade from Grape Street by preserving the terminating vista visible from Grape Street. No buildings shall be allowed between South 1st and the main Lincoln Middle School building that would affect this visibility.
3. ~~The existing window openings must be preserved either with windows or the appearance of windows on the front and side façades of the main building.~~
Window openings that exist in internal spaces created by new construction and not appearing on the front or east façade of the main building may be selectively filled in with material of the owner's choice.
4. The property owner shall not alter or remove significant architectural features of

the front or side facades, including but not limited to gargoyles, cornices, and other such features without approval by the City's Landmarks Commission.

5. If painted, the bricks on visible façades of the main building must be painted neutral, earth-tone colors and shall require a Certificate of Appropriateness from the Landmarks Commission.
6. Any signs attached to the main building shall require a Certificate of Appropriateness from the Landmarks Commission.

-END-

ORDINANCE NO. 48-2011
EXHIBIT "A"
PAGE5

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

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

PASSED ON FIRST READING this 27th day of October A.D. 2011.

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ATTEST:

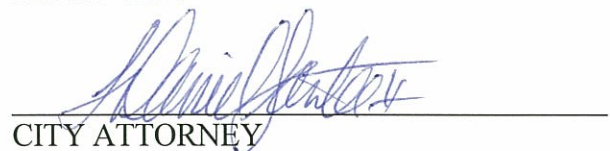


CITY SECRETARY



MAYOR

APPROVED:


CITY ATTORNEY

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That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

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- Drive Thru Facility, not in main building
- Dwelling – Multiple-Family
- Dwelling – Institutional
- Recreation Building, Multipurpose
- Swimming Pool, private
- Tennis Court, private
- Personal Care Facility

The following uses are not permitted:

- Drive Thru Facility, in main building
- Fuel Sales
- Kennel
- Repair and Maintenance Services – Automobile/Small Truck (Major)
- Repair and Maintenance Services – Automobile/Small Truck (Minor)
- Retail Sales/Rental of vehicles, including automobile and small truck and large truck and other large vehicles and equipment)
- Taxidermist

B. SITE DEVELOPMENT

The development shall comply with the requirements of the Land Development Code with the following exceptions and additions:

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3. The existing window openings must be preserved either with windows or the appearance of windows on the front and side façades of the main building.
4. The property owner shall not alter or remove significant architectural features of the front or side façades, including but not limited to gargoyles, cornices, and other such features without approval by the City's Landmarks Commission.

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4. The property owner shall not alter or remove significant architectural features of the front or east side facades, including but not limited to gargoyles, cornices, and other such features without approval by the City's Landmarks Commission. Loss of one or more of these above described architectural features due to Acts of God, vandalism, or regular weathering of the property may be replaced by the owner with like kind or matching installations with the approval of the Landmarks Commission through a Certificate of Appropriateness.

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ATTEST:



CITY SECRETARY

☐ _____
MAYOR

APPROVED:

CITY ATTY.

ORDINANCE NO. 48 201 J

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The development shall comply with the requirements of the Land Development Code with the following exceptions and additions:

1. The property owner shall acquire City approval before seeking to demolish the main building. The Landmarks Commission shall be the approval organization for such request through the processes and procedures outlined for Historic Overlay zoned properties.
2. The property owner shall be responsible for preservation of the visibility of the front façade from Grape Street by preserving the terminating vista visible from Grape Street. No buildings shall be allowed between South 1st and the main Lincoln Middle School building that would affect this visibility.
3. The existing window openings must be preserved either with windows or the appearance of windows on the front and side facades of the main building. Window openings that exist in internal spaces created by new construction and not appearing on the front or east façade of the main building may be selectively filled in with material of the owner's choice.

4. The property owner shall not alter or remove significant architectural features of the front or side facades, including but not limited to gargoyles, cornices, and other such features without approval by the City's Landmarks Commission.
5. If painted, the bricks on visible facades of the main building must be painted neutral, earth-tone colors and shall require a Certificate of Appropriateness from the Landmarks Commission.
6. Any signs attached to the main building shall require a Certificate of Appropriateness from the Landmarks Commission.

-END-



0.04

Miles

Z-2025-35

FEMA Flood Zones

- Floodway Floodway
- 100 Year 1% 100 Year 1%
- 100 Year 1% 100 Year 1%
- 500 Year .2% 500 Year .2%
- Unstudied A Zone Unstudied A Zone

Sources: Esri, DeLorme, Garmin, FAO, NOAA, USGS, (C) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, NADIR, NCEAS, NLS, CS, NMA, GSB, stylisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



PLANNED DEVELOPMENT AMENDMENT

Case:	Z-2025-35
Applicant:	Abilene Heritage Square
Request:	Amend the terms and conditions of a Planned Development District (PDD-136) to accommodate new construction.
Location:	1699 South First Street
Notification:	0 in Favor, 4 in Opposition
Planning & Zoning:	October 7, 2025
Council Hearing:	October 23, 2025 November 6, 2025





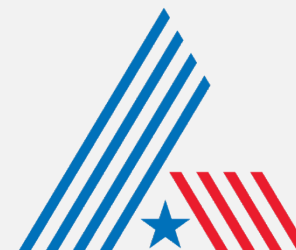
AERIAL LOCATION MAP



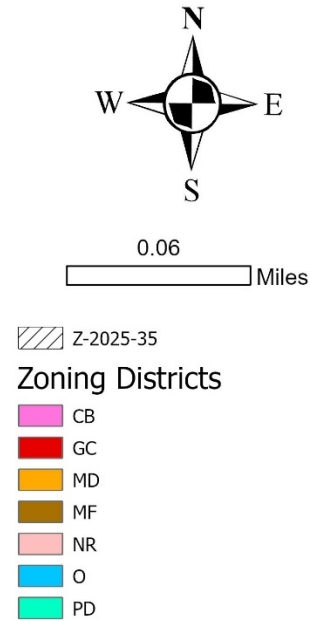
0.06

Miles

 Z-2025-35



CITY OF
ABILENE
TEXAS





VIEWS OF SUBJECT PROPERTY



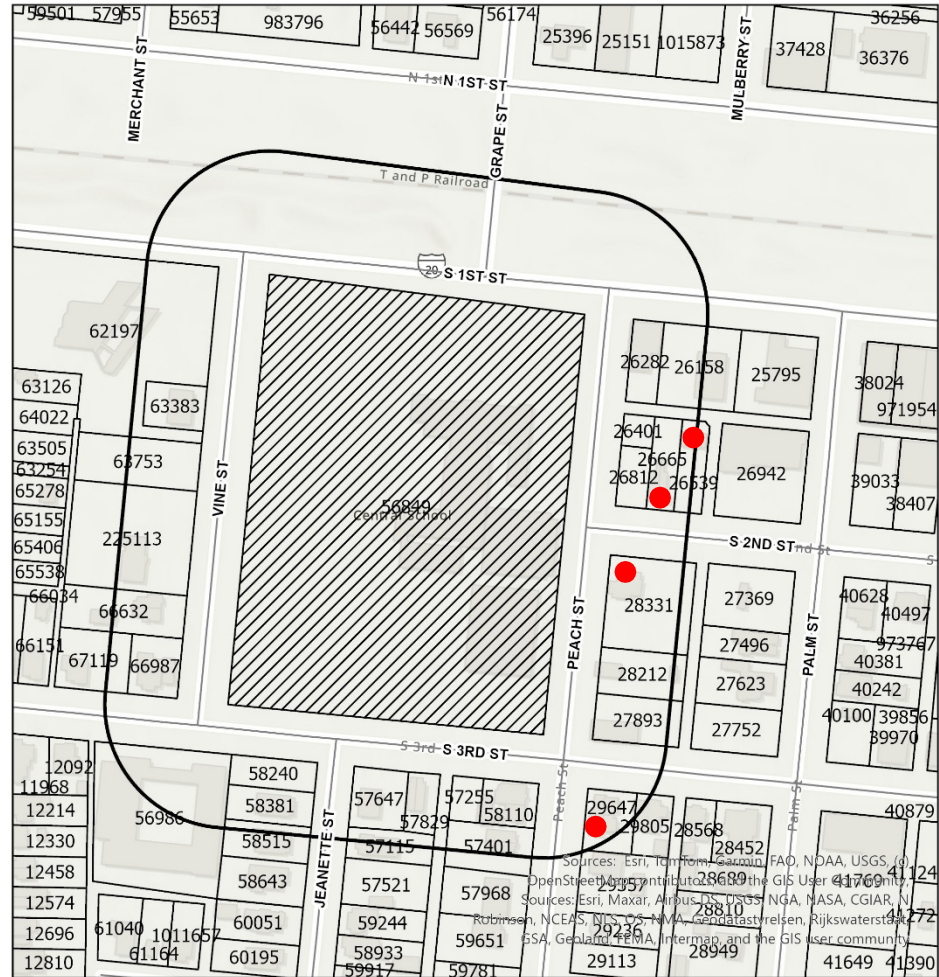


VIEWS OF SUROUNDING PROPERTY





NOTIFICATION AREA MAP



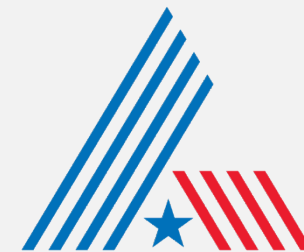
0.06
Miles

- Z-2025-35
- Notification Area

0 - in Favor -

4 - in Opposition -

5.68% in Opposition



CITY OF
ABILENE
TEXAS



FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

- The *Comprehensive Plan*;
- The surrounding uses and zoning;
- The spirit and intent PDD-136;
- Generally accepted planning principals; and
- The Criteria for Approval in the LDC.

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **18. Ordinance (First Reading) Z-2025-36: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 5.23 Acres From Agricultural Open (AO) To Heavy Commercial (HC). Located at 3329 Maple Street. (Tim Littlejohn)**

GENERAL INFORMATION

The owner of this property would like to rezone this property to match the adjacent zoning of Heavy Commercial at 3325 Maple Street. The owner intends to use the property for Active Outdoor Recreation.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. staff report
3. Zoning Exhibit
4. Project Overview
5. Owner Authorization
6. Original Plat
7. Z-2025-36 Flood
8. presentation

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 5.23 acres from Agricultural Open (AO) to Heavy Commercial (HC).

Located at 3329 Maple Street.

Legal description as follows:

BEGINNING at a 1/2 rebar rod found (N=6,834,510.84', E=1,590,446.73') being the northwest corner of this described tract and Lot 1, same being the southwest corner of Lot 102, Block A, of the Steele Replat of Block A, Sections 1 & 2, Steele Addition, as shown per plat recorded in Cabinet 5, Slide 59, Plat Records, Taylor County, Texas, same being in the east right-of-way line of Maple Street;

THENCE N89°54'42"E, 1,108.79 feet along the north line of this described tract and said Lot 1, and said Lot 1, Continuation, and along the south line of said Lot 102 to a 1/2 rebar rod set with plastic cap stamped "J&M BOUNDARY" for the northeast corner of this described tract;

THENCE S00°05'32"E, 322.70 feet along the east line of this described tract and over and across said Lot 1, Continuation to a 1/2 inch rebar rod set with plastic cap stamped "J&M BOUNDARY" for the southeast corner of this described tract and being in the south line of said Lot 1, Continuation, said corner also being in the north line of a 8.315 acre tract of land described in a deed to S. Central Properties,

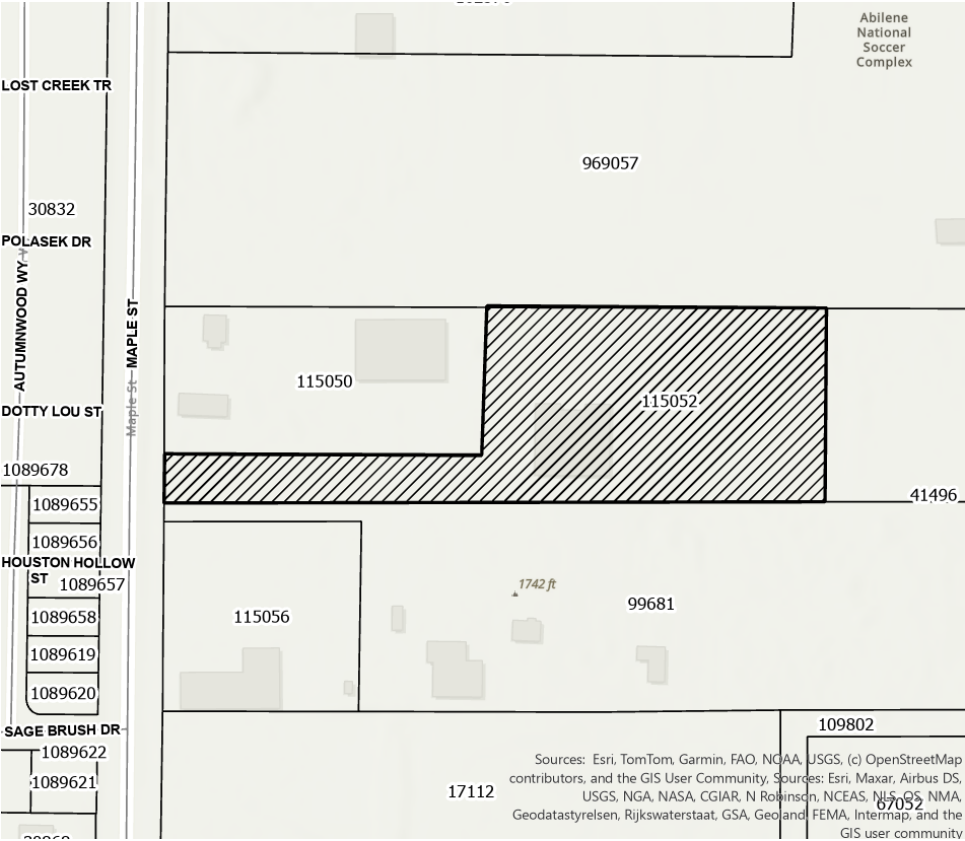
LLC recorded in Instrument No. 2023-03294, Official Public Records, Taylor County, Texas;

THENCE S89°54'28"W, 1,113.96 feet along the south line of this described tract and said Lot 1, Continuation, and along the north line of

said S. Central tract to a magnail with washer found for the southwest corner of this described tract and said Lot 1, Continuation, said corner being located in the east right-of-way line of said Maple Street;

THENCE N00°49'33"E, 322.81 feet along the west line of this described tract and of said Lot 1, Continuation, and said Lots 1 & 2, and

along the east right-of-way line of said Maple Street to the POINT OF BEGINNING and containing 8.235 acres of land more or less.



END

ZONING CASE: Z-2025-36 STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: October 7, 2025
City Council 1st Read: October 23, 2025
City Council 2nd Read: November 6, 2025

Applicant

Owner: 108 Real Estate
Agent: Jacob Martin

Case Manager

Adam Holland– Planner

Request

Change the zoning of approximately 5.23 acres from Agricultural Open (AO) to Heavy Commercial (HC).

Location

Located at 3329 Maple Street. Legal description being the west 1108.79 feet of Lot 1, Block A, A.M. Wagner Subdivision, Abilene, Taylor County, Texas.

Background

The owner of this property would like to rezone this property to match the adjacent zoning of Heavy Commercial at 3325 Maple Street. The owner intends to use the property for Active Outdoor Recreation.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	AO/GC	Recreation/Commercial
East	AO	Vacant
South	LI	Warehousing/Storage
West	PH	Residential

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan, as amended.**

The proposed request is consistent with the Comprehensive Plan.

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

The proposed rezoning is consistent with the neighboring zoning and uses in the area.

(3) **Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

The property is adequately served by all utilities. The property is in the process of platting and will be subject to all development standards in the LDC.

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

None known.

Planning & Zoning Commission Recommendation

P&Z recommends **approval**.

Attachments

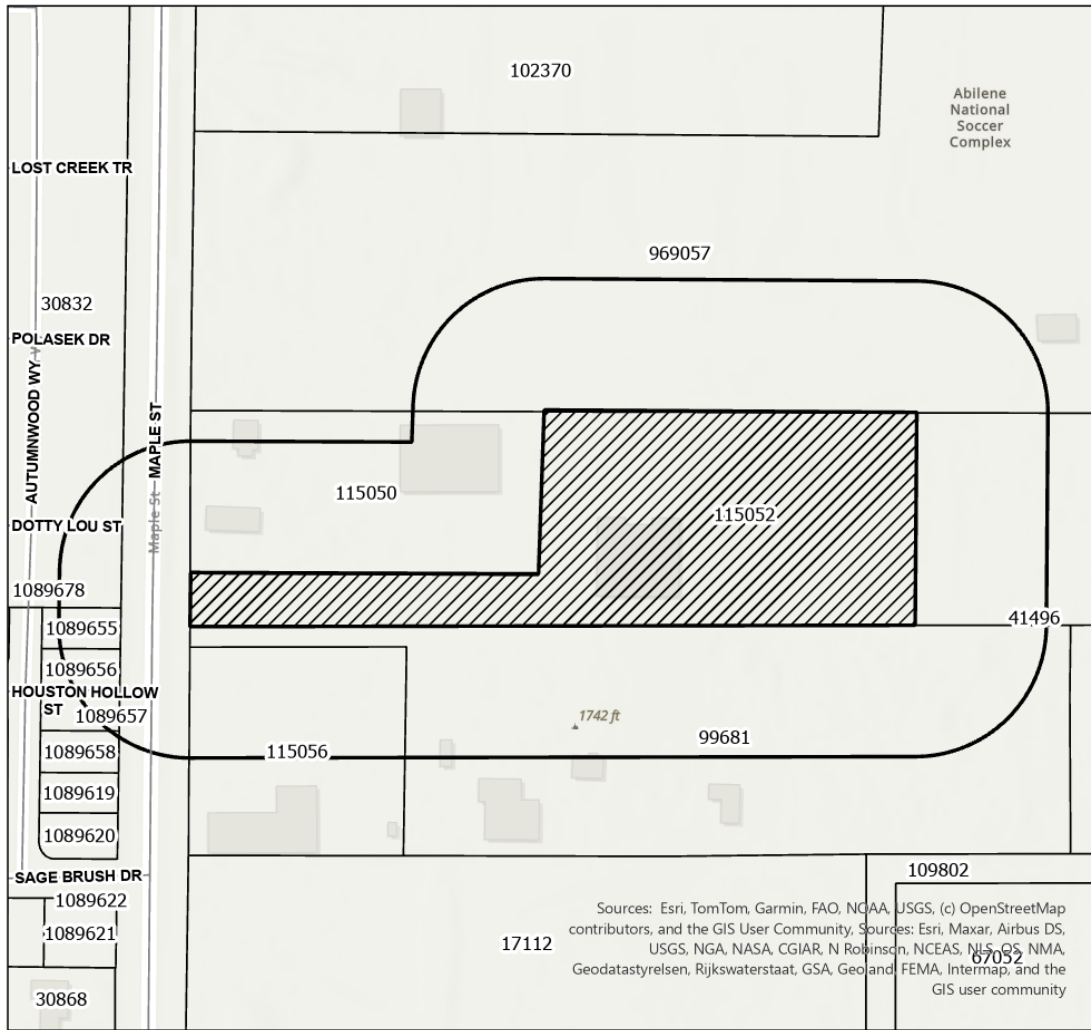
- Project Overview
- PowerPoint
- Plat
- Zoning Exhibit

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on September 19, 2025 via standard mail, with a certificate of mailing, to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER			Legend: O - Opposed, F - In Favor
OWNER	PROP_ID	SITUS	RESPONSE
108 REAL ESTATE LLC	115050	3325 MAPLE ST	
ABILENE NATIONAL SOCCER	969057	3025 MAPLE ST	
ACME COMMERCIAL PROPERTIES LLC	115056	3481 MAPLE ST	
NATIONAL HOME CORPORATION	1089655	2901 AUTUMNWOOD WY	
POLASEK BROS DEVELOPMENT LLC	30832	201 POLASEK DR	
S CENTRAL PROPERTIES LLC	99681	3399 MAPLE ST	

NOTIFICATION MAP



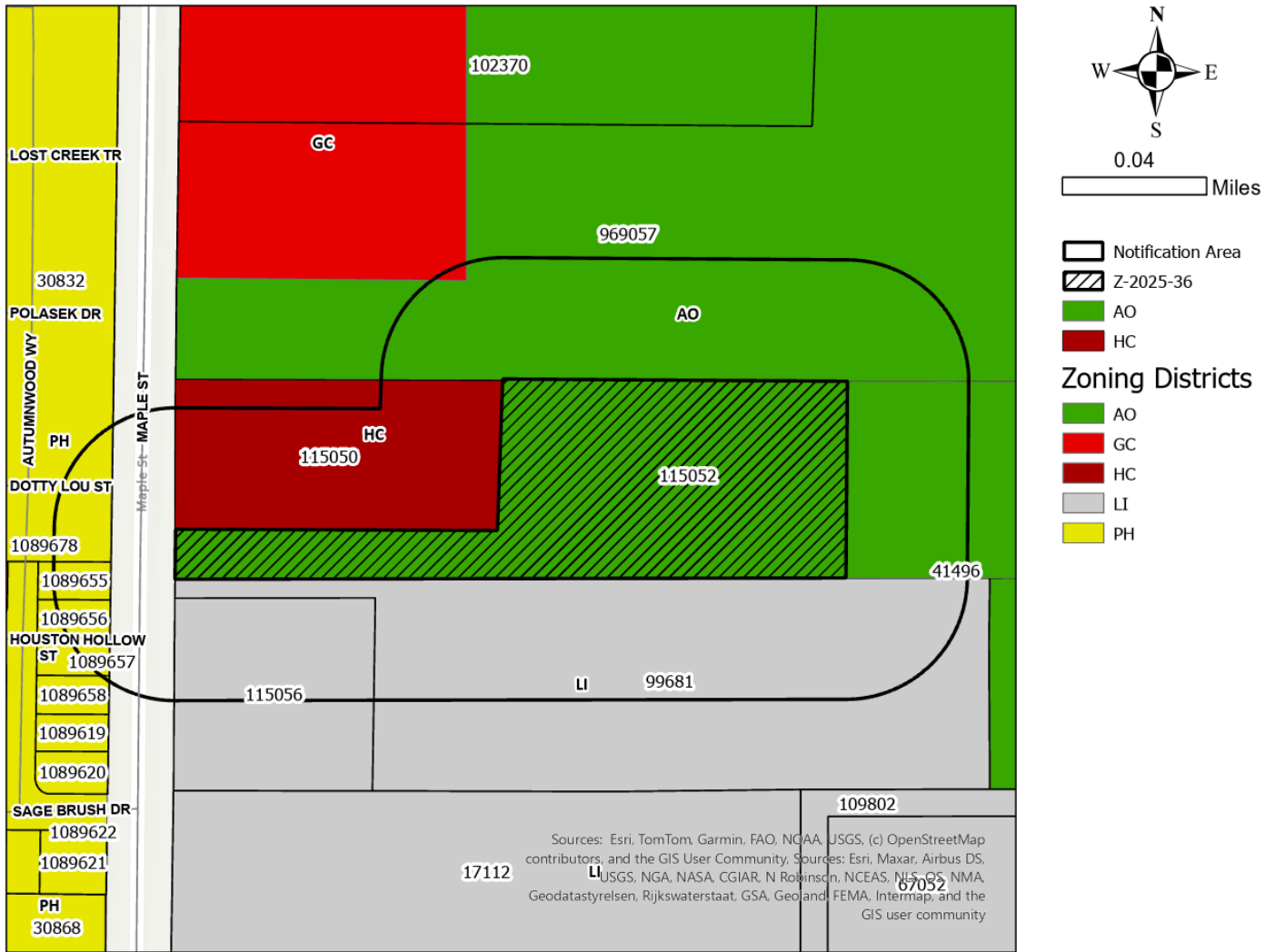
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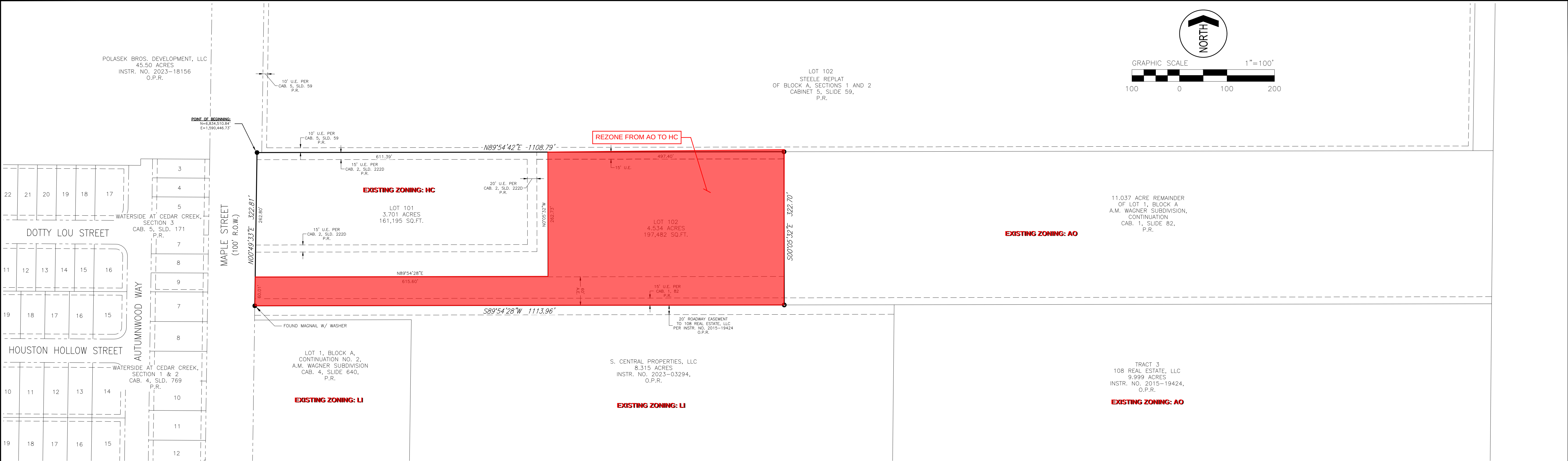
Miles

Notification Area

Z-2025-36

ZONING MAP





METES & BOUNDS DESCRIPTION:

BEING a 8.235 acre tract of land being all of Lots 1 & 2, Block A of the A.M. Wagner Subdivision, as shown per plat recorded in Cabinet 5, Slide 222D, Plat Records, Taylor County, Texas, and being a portion of Lot 1, Block A, A.M. Subdivision, Continuation, as shown per plat recorded in Cabinet 1, Slide 82, Plat Records, Taylor County, Texas. Said 8.235 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a 1/2 rebar rod found (N=6.834,510.84', E=1,590,446.73') being the northwest corner of this described tract and Lot 1, same being the southwest corner of Lot 102, Block A, of the Steele Replat of Block A, Sections 1 & 2, Steele Addition, as shown per plat recorded in Cabinet 5, Slide 59, Plat Records, Taylor County, Texas, same being in the east right-of-way line of Maple Street;

THENCE N89°54'42"E, 1,108.79 feet along the north line of this described tract and said Lot 1, and said Lot 1, Continuation, and along the south line of said Lot 102 to a 1/2 rebar rod set with plastic cap stamped "J&M BOUNDARY" for the northeast corner of this described tract;

THENCE S00°05'32"E, 322.70 feet along the east line of this described tract and over and across said Lot 1, Continuation to a 1/2 inch rebar rod set with plastic cap stamped "J&M BOUNDARY" for the southeast corner of this described tract and being in the south line of said Lot 1, Continuation, said corner also being in the north line of a 8.315 acre tract of land described in a deed to S. Central Properties, LLC recorded in Instrument No. 2023-03294, Official Public Records, Taylor County, Texas;

THENCE S89°54'28"W, 1,113.96 feet along the south line of this described tract and said Lot 1, Continuation, and along the north line of said S. Central tract to a maginal with washer found for the southwest corner of this described tract and said Lot 1, Continuation, said corner being located in the east right-of-way line of said Maple Street;

THENCE N00°49'33"E, 322.81 feet along the west line of this described tract and of said Lot 1, Continuation, and said Lots 1 & 2, and along the east right-of-way line of said Maple Street to the POINT OF BEGINNING and containing 8.235 acres of land more or less.

BASIS OF BEARINGS:

BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED ON GRID NORTH REFERENCING THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, AND NAD 83 AS DETERMINED FROM GPS SURVEY DATA. DISTANCES CAN BE CONVERTED TO SURFACE BY MULTIPLYING EACH BY THE COMBINED SCALE FACTOR OF 1.000142351.

FINISHED FLOOR ELEVATION:

ALL FINISHED FLOOR ELEVATIONS SHALL BE 18" MINIMUM ABOVE THE HIGHEST ADJACENT STREET CURB AND 12" MINIMUM ABOVE THE HIGHEST ADJACENT GROUND ELEVATION.

PLAT NOTES:

- AREA OF SUBDIVISION = 8.235 ACRES.
- THERE IS NO PUBLIC R.O.W. DEDICATION.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO TAYLOR COUNTY FEMA FIRM MAP NOS. 48441-C-0236-F & 48441-C-0237-F EFFECTIVE JANUARY 6, 2012.
- NO LAND WITHIN THIS SUBDIVISION WILL BE DEDICATED FOR PARKS, OR OPEN SPACE.
- THIS SUBDIVISION IS LOCATED ENTIRELY WITHIN THE CITY LIMITS OF THE CITY OF ABILENE, TEXAS.
- BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT CITY OF ABILENE ZONING REGULATIONS.
- UPON COMPLETION OF THE SUBDIVISION STREETS, BURIED UTILITIES, AND FINAL GRADING, MONUMENTATION WILL BE SET AS FOLLOWS: CENTERLINE MARKERS ARE MAG-NAILS WITH WASHERS; LOT CORNERS ARE 1/2" REBAR RODS WITH PLASTIC CAPS STAMPED "J&M BOUNDARY"
- IF OBSTACLES (FENCES, TRANSFORMERS, OPEN TRENCHES, ETC.) ARE ENCOUNTERED DURING THE COURSE OF SETTING MONUMENTATION, THOSE AFFECTED LOT CORNERS WILL BE SET AT AN OFFSET ALONG THEIR RESPECTIVE LOT LINES AT A WHOLE FOOT INTERVAL BETWEEN 1 AND 6 FEET. SURVEYOR WILL SET SAID OFFSET AS CLOSE AS PRACTICAL TO ACTUAL LOT CORNER AND WILL KEEP RECORD OF THE FINAL STAKED LOCATION.

DEVELOPER/SUBDIVIDER:

108 REAL ESTATE, LLC
4601 BUFFALO GAP ROAD,
STE C-7
ABILENE, TEXAS 79606

LEGEND

- SUBDIVISION BOUNDARY
- ADJACENT PROPERTY
- PROPOSED LOT LINES
- PROP. UTILITY EASEMENTS
- EXIST. UTILITY EASEMENTS
- PROP. DRAINAGE EASEMENTS
- EXIST. DRAINAGE EASEMENTS
- EXIST. STREET R.O.W.
- FOUND 1/2 INCH REBAR ROD WITH PLASTIC CAP STAMPED "J&M BOUNDARY"
- FOUND CHISELED "X" IN CONCRETE
- A.E. = ACCESS EASEMENTS
- D.E. = DRAINAGE EASEMENTS
- U.E. = UTILITY EASEMENTS
- S.L.E. = STREET LIGHT EASEMENTS
- W.L.E. = WATER LINE EASEMENTS
- P.R. = PLAT RECORDS, TAYLOR CO., TEXAS
- D.R. = DEED RECORDS, TAYLOR CO., TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS, TAYLOR CO., TEXAS

LOTS 101-102, BLOCK A,
A.M. WAGNER SUBDIVISION
BEING A REPLAT OF LOTS 1 & 2,
BLOCK A, A.M. WAGNER SUBDIVISION,
AND BEING A PORTION OF LOT 1, BLOCK A,
A.M. WAGNER SUBDIVISION, CONTINUATION,
CITY OF ABILENE,
TAYLOR COUNTY, TEXAS

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, SUBCHAPTER A, AS AMENDED. DATE _____ CHAIRMAN _____ ATTEST _____ SECRETARY _____ DATE _____ PLANNING DIRECTOR _____	PLANNING DIRECTOR FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS. DATE _____ FILE NUMBER _____ PLANNING DIRECTOR _____ FEES _____
COUNTY CLERK I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON _____ DATE _____ FILE NUMBER _____ COUNTY CLERK _____ COUNTY TEXAS _____ DEPUTY _____	DIRECTOR OF PUBLIC WORKS THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS. DATE _____ DIRECTOR OF PUBLIC WORKS _____
OWNER'S CERTIFICATE AND DEDICATION THE UNDERSIGNED MANAGER OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAS CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF LOTS 101-102, BLOCK A, A.M. WAGNER SUBDIVISION BEING A REPLAT OF LOTS 1 & 2, BLOCK A, A.M. WAGNER SUBDIVISION, AND BEING A PORTION OF LOT 1, BLOCK A, A.M. WAGNER SUBDIVISION, CONTINUATION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS: SEE ATTACHED METES & BOUNDS DESCRIPTION EXECUTED THIS _____ DAY OF _____ A.D. 2025 108 REAL ESTATE, LLC	

ACKNOWLEDGEMENT THE STATE OF TEXAS: COUNTY OF TAYLOR: BEFORE ME, _____ THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON AND MANAGER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID 108 REAL ESTATE, LLC A LIMITED LIABILITY CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION, FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATES. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 2025 TAYLOR COUNTY TEXAS NOTARY PUBLIC	GENERAL NOTES SCALE: 1"=100' ACREAGE: 8.235 ACRES
SURVEYOR CERTIFICATE AND PLAT DESCRIPTION CERTIFICATION I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE. PLAT DESCRIPTION: LOTS 101-102, BLOCK A, A.M. WAGNER SUBDIVISION BEING A REPLAT OF LOTS 1 & 2, BLOCK A, A.M. WAGNER SUBDIVISION, AND BEING A PORTION OF LOT 1, BLOCK A, A.M. WAGNER SUBDIVISION, CONTINUATION, CITY OF ABILENE, TAYLOR COUNTY, TEXAS _____ SIGNATURE _____ (PRINT) REGISTERED PROFESSIONAL LAND SURVEYOR _____ DATE	
4665 CURRY LANE ABILENE, TX 79606 325-695-1070 1925 FORT WORTH HIGHWAY WEATHERFORD, TX 76086 817-594-9880 4920 S. LOOP 289, STE 104 LUBBOCK, TX 79414 806-368-6375 JACOB MARTIN TBPELS FIRM # 10194493	

PROJECT OVERVIEW

Project Type: Zoning Application | **Project Title:** Z-2025-36 AO to HC

ID # 25-000218 | **Started** 09/02/2025 at 2:40 PM



Address

3329 Maple St, Abilene, TX USA 79602

Legal

A M Wagner Subdivision Blk Block A Lot Lot 1-2
A M Wagner, Block A, Lot 1 & 2, Acres 2.85

Description

Zone from AO to HC

PROPERTY DETAILS

Property ID	115050
GEO ID	35615
Enforcement Area	Lytle Area

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
108 Real Estate Llc	-	4601 Buffalo Gap Rd Ste - D1 Abilene, TX 79606-3364		Property Owner
108 Real Estate Llc	-	4601 Buffalo Gap Rd Ste - C-7 Abilene, TX 79606-3363		Property Owner
Clayton Farrow	cfarrow@jacobmartin.com 3256951070	3465 Curry Lane Abilene, TX 79606-2287	Engineer	APPLICANT

INFORMATION FIELDS

Owner Name

108 Real Estate

Agent Name

Jacob|Martin

Block

-

Lot

-

Acreage

-

Legal Description of property

A M WAGNER, BLOCK A, LOT 1 & 2, ACRES 2.85

—

AO

HC

Clayton Farrow

TOTALS	\$ 1,500.00	\$ 1,500.00	\$ 0.00
--------	-------------	-------------	---------

ISSUED TO

UPLOADED BY

EPR DOCUMENTS	ASSOCIATED STEPS	STATUS	LAST REVIEW BY
Civil	Zoning Application Review	Not Uploaded	-

Owner Authorization and Representative Designation

Property Description

Subdivision: **A M WAGNER SUBDIVISION**

Total Number of Acres: **~8.23**

Zoning Classification(s): **AO**

Total Number of Lots: **2**

Location: **3329 MAPLE STREET**

Property Owner Information & Authorization

Name/Company: **108 REAL ESTATE**

Address: **4601 BUFFALO GAP RD STE C-7**

City: **ABILENE**

State: **TX**

Zip Code: **79606**

Phone: **325-664-4856**

Email: **bartbourland@gmail.com**

Project Representation (check one):

☐ I will represent the application myself; OR

☒ I hereby designate **Jacob & Martin, LLC** (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature: 

Date: 9-3-25

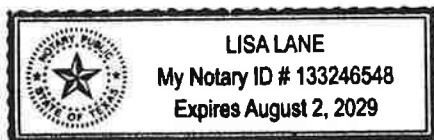
STATE OF: TEXAS

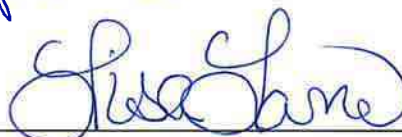
COUNTY OF: TAYLOR

BEFORE ME, a Notary Public, on this day personally appeared BART BOURLAND

(printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 3rd day of September, 2025





NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☒ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other(specify): _____

Name: **Clayton Farrow or Tal Fillingim**

Company: **Jacob & Martin, LLC**

Address: **3465 Curry Lane**

City: **Abilene**

State: **TX**

Zip Code: **79606**

Number: **325-695-1070**

Email: **cfarrow@jacobmartin.com**

1-82

304

FILED FOR RECORD
10 OCT 15 AM 1981

JAN 8 1981

JAMES L. WILLIAMS
County Clerk, Taylor County, Texas
Deputy: L.W.

PLANNING COMMISSION
THIS PLAT IS HEREBY APPROVED BY THE CITY
PLANNING COMMISSION OF THE CITY OF ABILENE,
TEXAS, AND THE COUNTY CLERK IS HEREBY AU-
THORIZED TO FILE SAID PLAT IN ACCORDANCE WITH
THE PROVISIONS OF ARTICLE 974A, VERNON'S
ANNOTATED CIVIL STATUTES, AND ARTICLE 927B
PENAL CODE OF TEXAS, AS AMENDED.

1-5-81 DATE
CHAIRMAN
Cynthia McDaniel
ATTEST SECRETARY
1-4-81 DATE
PLANNING DIRECTOR

PLANNING DIRECTOR
FILED WITH PLANNING DIRECTOR, CITY OF
ABILENE, TEXAS.

12-15-80 DATE
FP-11380 FILE NUMBER
PLANNING DIRECTOR
FEES

DIRECTOR OF PUBLIC WORKS
THE DEDICATION FILED IN CONNECTION WITH
THIS PLAT IS HEREBY APPROVED AND ALL STREETS,
ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE
HEREBY ACCEPTED ON BEHALF OF THE PUBLIC
BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY
OF ABILENE, TEXAS.

1/8/81 DATE
DIRECTOR OF PUBLIC WORKS

COUNTY CLERK
I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED
HEREIN WAS FILED FOR RECORD ON

Jan. 8, 1981 DATE
504 FILE NUMBER
James L. Williams COUNTY CLERK
Taylor COUNTY, TEXAS
Laverne Williams DEPUTY

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED OWNER(S), OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED
SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS,
STREETS AND ALLEYS UNDER THE NAME OF

CONTINUATION OF A.M. WAGNER SUBDIVISION

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR
ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC
LANDS SHOWN THEREON. THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:

(Field Notes Attached)

EXECUTED THIS 10 DAY OF December 1980

Dan Harwell, Jr. OWNER
Dan Harwell, Jr. OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF TAYLOR

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS
DAY PERSONALLY APPEARED DAN HARWELL, JR.,
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRU-
MENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND
CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 10
DAY OF Dec A D 1980
Notary Public Taylor County Texas

THE STATE OF TEXAS
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON
THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE
PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE
DAY OF A D 19

NOTARY PUBLIC COUNTY, TEXAS

GENERAL NOTES

SHEET 1 OF 1 SHEETS ACREAGE 16.44
SCALE 1"=200' SMALLEST LOT 716.27 SQ. FT. LARGEST LOT 716.127 SQ. FT.
LOT WIDTH MIN 113' MAX 323' LOT DEPTH MIN 2012.8 MAX 2601.3'
CONCRETE MONUMENTS POLES DOWN GUYS

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

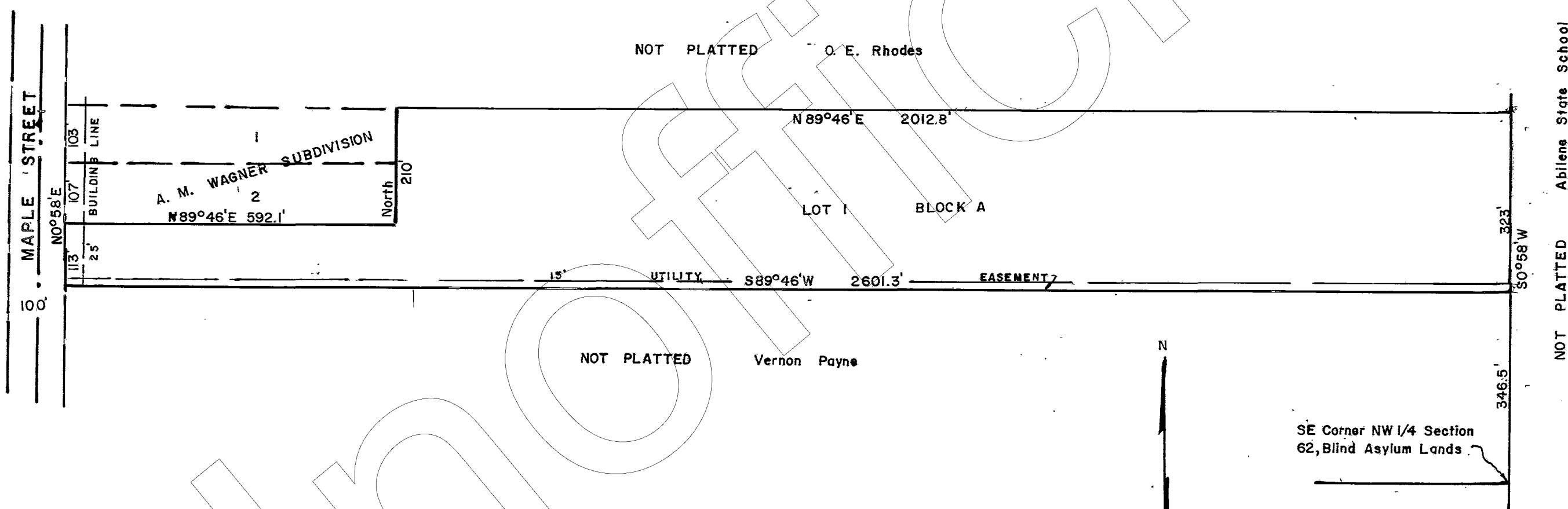
CERTIFICATION:
I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE
BY THE UNDERSIGNED, OR UNDER MY SUPERVISION, ON THE GROUND AND THAT PERMANENT
MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE
WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE.

PLAT DESCRIPTION: CONTINUATION OF
A.M. WAGNER SUBDIVISION of 16.44 acres out of the Northwest 1/4 Section 62,
Blind Asylum Lands, ABILENE, TAYLOR COUNTY, TEXAS

12-9-80
DATE

James L. Williams
JAMES L. WILLIAMS
REGISTERED PUBLIC SURVEYOR

82



CONTINUATION OF
A.M. WAGNER SUBDIVISION of 16.44 acres out of the
Northwest 1/4 Section 62, Blind Asylum Lands
ABILENE, TAYLOR CO., TEXAS
Scale: 1"=200'

NOT IN FLOOD ZONE

ZONED: A.O.

Developer: Dan Harwell, Jr.
1950 Willow Dr.
673-0067

Surveyor: James L. Williams
1061 So. 3rd. St.
672-6712

1-82.1



STATE OF TEXAS
COUNTY OF TAYLOR

I hereby certify that this Instrument was
FILED on the date and at the time stamped
hereon by me and was duly RECORDED in the
Volume and Page of the named RECORDS of
Taylor County, Texas, as stamped hereon by
me.

Janice Lyons

County Clerk,
Taylor County, Texas

304

VOL. 15 PAGE 448

CONT. 1

A. M. WAGNER SUBDIVISION

Being 16.44 Acres out of the Northwest 1/4 of Section
62, Blind Asylum Lands, Taylor County, Texas and being
more particularly described as follows;

Beginning at a point on the East line of said Northwest
1/4, whence the Southeast corner of said Northwest 1/4
Section 62 bears S0°58'W 346.5';

Thence S89°46'W 2601.3' to a point on the EBL of
Maple Street;

Thence N0°58'E 113' to the Southwest corner of Lot
1, Blk. A, A. M. Wagner Subdivision;

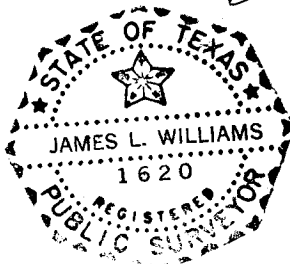
Thence N89°46'E 592.1' to the Southeast corner of
said Lot 1;

Thence North 210' to the Northeast corner of Lot 2,
Blk., Wagner Subdivision;

Thence N89°46'E 2012.8';

Thence S0°58'W 323' to the place of beginning and
containing 16.44 acres.

James L. Williams
James L. Williams
Registered Public Surveyor



FILED FOR RECORD
11 O'CLOCK 15 MIN. A.M.

JAN 8 1981

JANICE LYONS
County Clerk, Taylor County, Texas
L. W. Deputy



REZONE REQUEST

Case: Z-2025-36

Owner: 108 Real Estate

Applicant: Jacob Martin

Request: Change the zoning of approximately 5.23 acres from Agricultural Open (AO) to Heavy Commercial (HC).

Location: 3329 Maple Street

Notification: 0 in Favor, 0 in Opposition

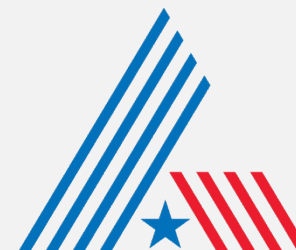
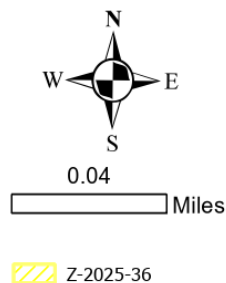
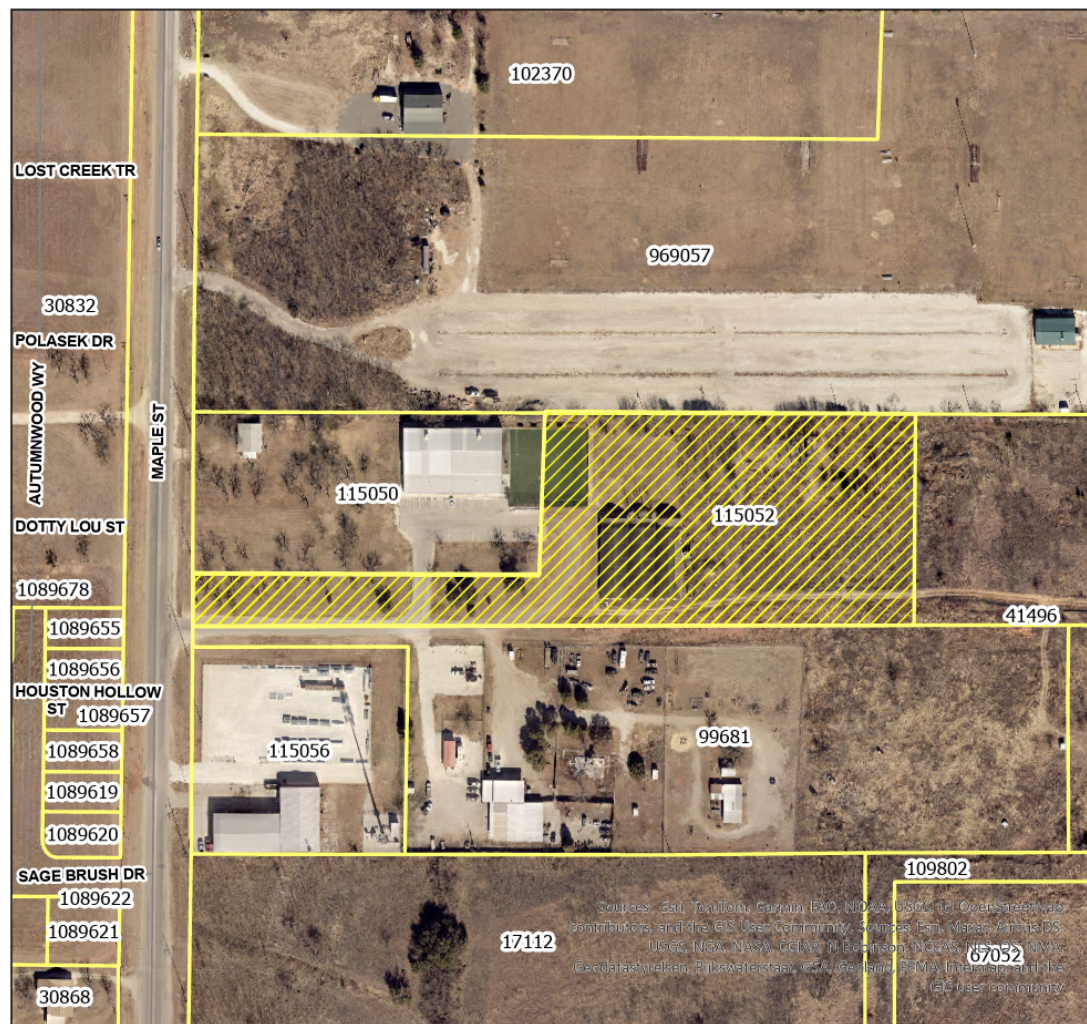
Planning & Zoning: October 7, 2025

Council Hearing: October 23, 2025
November 6, 2025





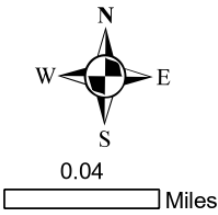
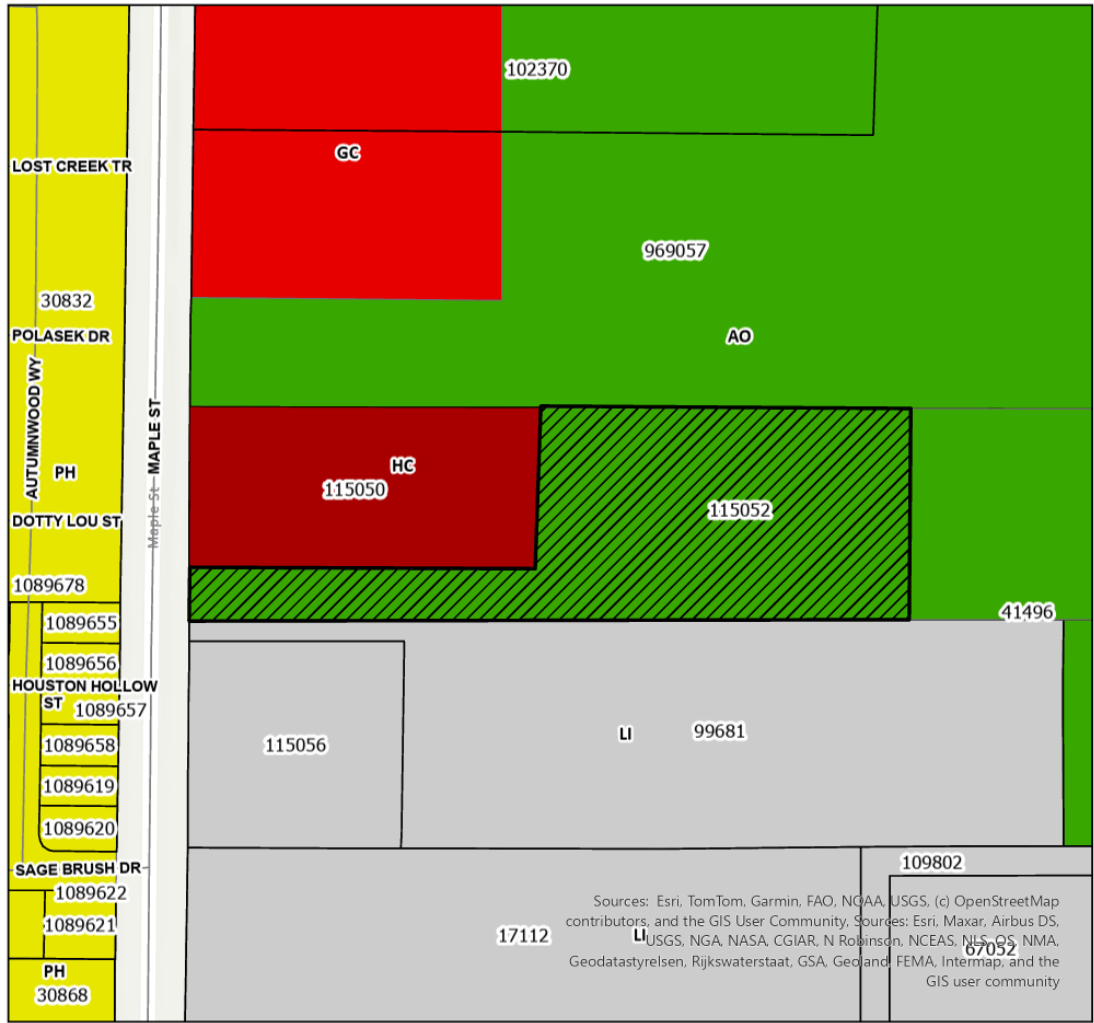
AERIAL LOCATION MAP



CITY OF
ABILENE
TEXAS



ZONING MAP



- Z-2025-36
- Zoning Districts**
- AO
 - GC
 - HC
 - LI
 - PH

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community





USES IN AGRICULTURAL OPEN ZONING

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling— Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems*

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Fairgrounds/Rodeo
- C Motorized Racing
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- C Correction, Detention, or Penal Facilities
- P Fire/Police Station
- C Military and Armed Forces Reserve Center
- C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P School: Public/Private

SERVICE:

- C Kennel (with outdoor pens)
- P Kennel (without outdoor pens)
- P Veterinary Service (all size animals)

TRADE – RETAIL USES:

- C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Airport, Heliport and Flying Field Terminals – Commercial
- C Antenna Tower – Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Farming, Ranching & Livestock, Hatchery
- C Mining
- C Petroleum or Gas Well
- P Urban Garden

LEGEND

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





USES IN HEAVY COMMERCIAL ZONING

RESIDENTIAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Ambulance Service
C	Correction, Detention, or Penal Facilities
P	Fire/Police Station
P	Homeless/Emergency Shelter
P	Hospital
P	Medical/Dental Laboratory
P	Military and Armed Forces Reserve Center
P	Post Office
P	Rehabilitation Facility
C	Sanitary Landfill
P	Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

P	Arts School
C	Cemetery, Crematorium, and Mausoleum
P	Church or Place of Worship
P	Educational and Scientific Research
P	School: Public/Private
P	Trade/Business School

TRADE – RETAIL USES:

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

SERVICE:

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

TRADE – WHOLESALE USES:

P	Liquor, Wholesale/Distribution
P	Wholesaling and Storage (indoor)
C	Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P	Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
C	Antenna Tower - Commercial
P	Automobile Parking Lot or Structure - Commercial
P	Broadcast Studio
P	Passenger Ground Transportation Terminal
P	Pressure Control Station
P	Public Utility Facility
C	Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

P	Petroleum or Gas Well
C	Manufacturing (light)
P	Urban Garden

LEGEND

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



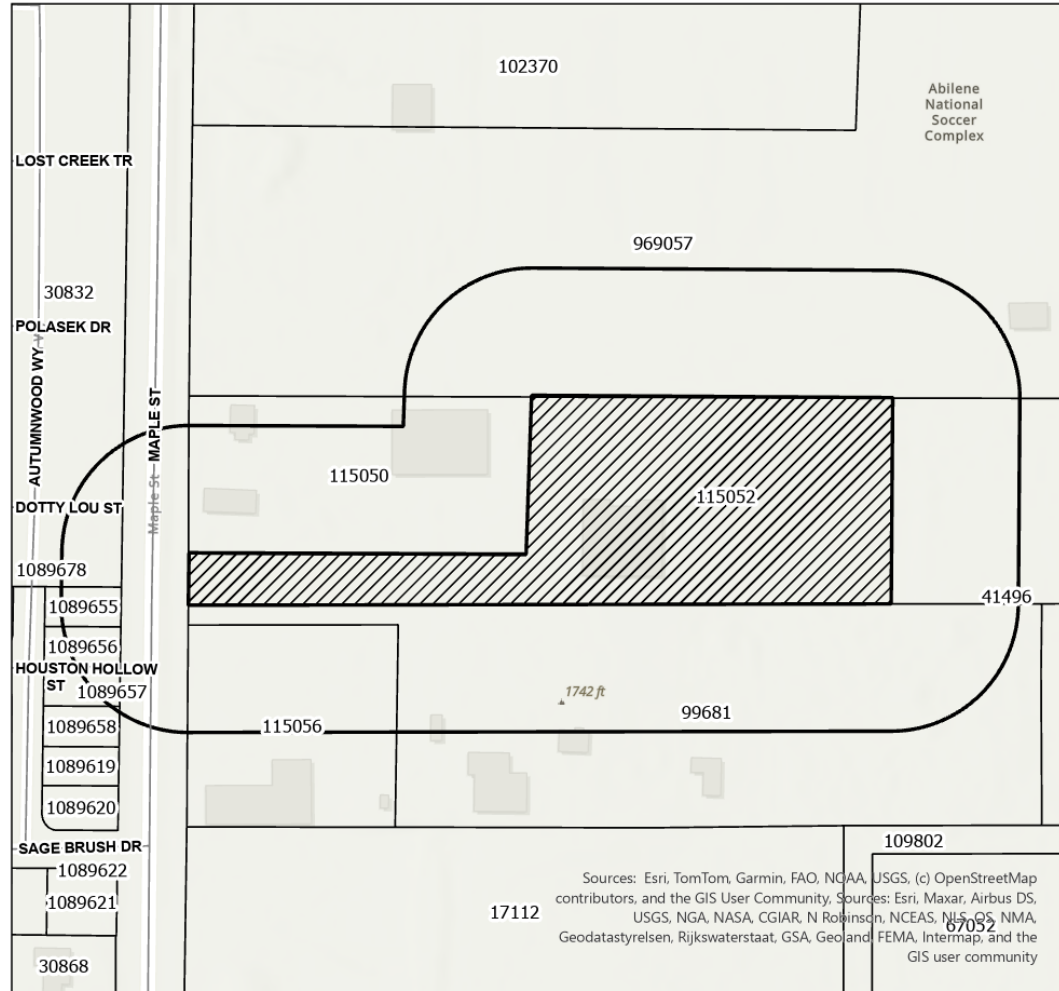


VIEWS OF SUBJECT PROPERTY





NOTIFICATION AREA MAP



0.04

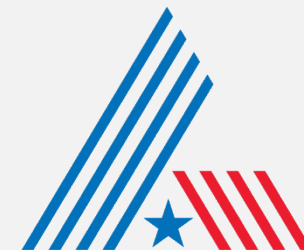
Miles

Notification Area

Z-2025-36

0 - in Favor - 

0 - in Opposition - 



CITY OF
ABILENE
TEXAS

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NASA, CGIAR, N Robinson, NCEAS, NLS, GS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **19. Ordinance (First Reading) Z-2025-37: Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 44.90 Acres From Agricultural Open (AO) To Residential Single-Family (RS-6) And General Commercial (GC). Located At 3009 Dub Wright Boulevard And 3010 Bishop Road. (Tim Littlejohn)**

GENERAL INFORMATION

The owner of this property would like to rezone this property to General Commercial along Dub Wright and Residential use further east toward Bishop Road.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. staff report
3. Zoning Exhibit
4. Project Overview
5. Owners Authorization
6. Legal for RS-6 Zoning
7. Legal for GC Zoning
8. Z-2025-37 Flood
9. presentation

BACKUP DOCUMENTATION UPDATED? Yes
UPDATED ON: 10/21/2025

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 44.7 acres from Agricultural Open (AO) to General Commercial (GC) and Residential Single-Family (RS-6).

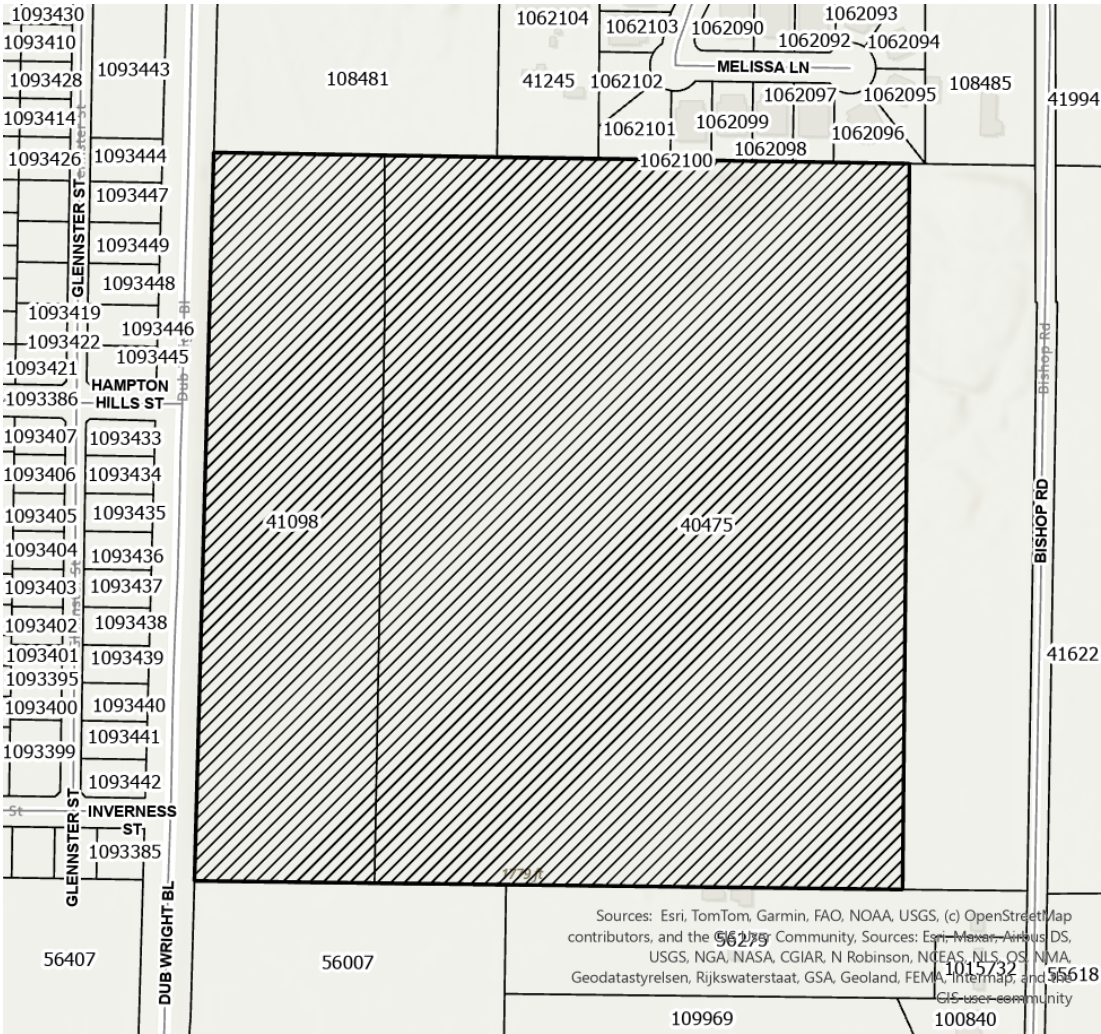
Located at 3009 Dub Wright Blvd. and 3010 Bishop Road.

Legal description for RS-6 as follows:

BEGINNING at a point for the northwest corner of this described tract and being in the north line of said Tract 2, and said point being S89°10'36"E, 250.02 feet from the northwest corner of said Tract 2;
THENCE S89°10'36"E, 1,111.43 feet along the north line of this described tract and said Tract 2 to the northeast corner of this described tract;
THENCE S00°37'13"W, 1,424.41 feet along the east line of this described tract and over and across said Tract 2 to a point for the southeast corner of this described tract;
THENCE N89°12'45"W, 776.79 feet along the south line of this described tract and said Tract 2 to an angle corner of this described tract and said Tract 2;
THENCE N88°56'30"W, 345.29 feet along the south line of this described tract and said Tract 2 to an angle corner of this described tract and said Tract 2;
THENCE N89°32'25"W, 12.23 feet along the south line of this described tract and said Tract 2 to the southwest corner of this tract and said Tract 2;
THENCE N01°32'28"E, 1,423.66 feet along the west line of this described tract and over and across said Tract 2 to the POINT OF BEGINNING and containing 36.72 acres of land, more or less.

Legal description for GC as follows:

BEGINNING at a point for the northwest corner of this described tract and said Tract 2, and said point being in the east right-of-way line of Dub Wright Blvd., also known as FM 3438;
THENCE S89°10'36"E, 250.02 feet along the north line of this described tract and said Tract 2 to the northeast corner of this described tract;
THENCE S01°32'28"W, 1,423.66 feet along the east line of this described tract and over and across said Tract 2 to a point for the southeast corner of this described tract;
THENCE N89°32'25"W, 250.05 feet along the south line of this described tract and said Tract 2 to the southwest corner of this tract and said Tract 2;
THENCE N01°32'28"E, 1,425.25 feet along the west line of this described tract and said Tract 2, and along the east right-of-way line of said Dub Wright Blvd. to the POINT OF BEGINNING and containing 8.18 acres of land, more or less.



ZONING CASE: Z-2025-37 STAFF REPORT

Scheduled Hearings

Planning & Zoning Commission: October 7, 2025
City Council 1st Read: October 23, 2025
City Council 2nd Read: November 6, 2025

Applicant

Owner: Legacy Funeral Holdings
Agent: Jacob Martin

Case Manager

Adam Holland– Planner

Request

Change the zoning of approximately 44.7 acres from Agricultural Open (AO) to General Commercial (GC) and Residential Single-Family (RS-6).

Location

Located at 3009 Dub Wright Blvd. and 3010 Bishop Road. Legal description being a 44.90-acre tract out of the William Bishop Survey No. 43, Abilene, Taylor County, Texas.

Background

The owner of this property would like to rezone this property to General Commercial along Dub Wright and Residential use further east toward Bishop Road.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	AO/MD/PD	Residential/Vacant
East	AO	Vacant/Cemetery
South	AO	Vacant/Residential
West	MD	Residential (Duplex)

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan, as amended.**

The proposed zone changes implement the policies of the Comprehensive Plan.

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

The proposed rezoning is consistent with the neighboring zoning and uses of the area surrounding the subject property.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

The property is adequately served by all utilities. Any future subdivision of the property will require platting which will extend all utilities to the newly created parcels.

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

None known.

Planning and Zoning Commission Recommendation

P&Z recommends **approval**.

Attachments

- Project Overview
- PowerPoint
- Owners' Authorization
- Zoning Exhibit

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on September 19, 2025 via standard mail, with a certificate of mailing, to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER

Legend: O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
LEGACY FUNERAL HOLDINGS LLC	40475	3010 BISHOP RD	
06 LEASING LLC	108481	6249 JENNINGS DR	
B R FOREST ENTERPRISES LLC	1062094	2883 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062095	2884 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062096	2874 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062097	2866 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062098	2858 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062099	2850 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062100	2842 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062101	2834 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062102	2826 MELISSA LN	
BISHOP LANHAM RICKY III	1015732	3214 BISHOP RD	
CLARK JAMES RONALD & YONG C	41245	6049 JENNINGS DR	F
HAMPTON HILLS LLC	1093433	3001 GLENNSTER ST	
HAMPTON HILLS LLC	1093434	3009 GLENNSTER ST	
HAMPTON HILLS LLC	1093435	3017 GLENNSTER ST	
HAMPTON HILLS LLC	1093436	3025 GLENNSTER ST	
HAMPTON HILLS LLC	1093437	3033 GLENNSTER ST	
HAMPTON HILLS LLC	1093438	3043 GLENNSTER ST	
HAMPTON HILLS LLC	1093439	3049 GLENNSTER ST	
HAMPTON HILLS LLC	1093440	3059 GLENNSTER ST	
HAMPTON HILLS LLC	1093441	3065 GLENNSTER ST	
HAMPTON HILLS LLC	1093442	3075 GLENNSTER ST	
KKP INVESTMENTS LLC	56007	3201 DUB WRIGHT BL	F
KKP INVESTMENTS LLC	56407	6310 BUTTERFIELD TR	F

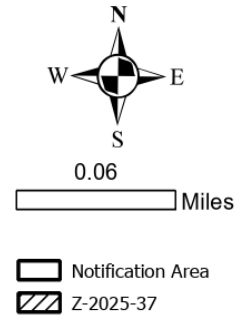
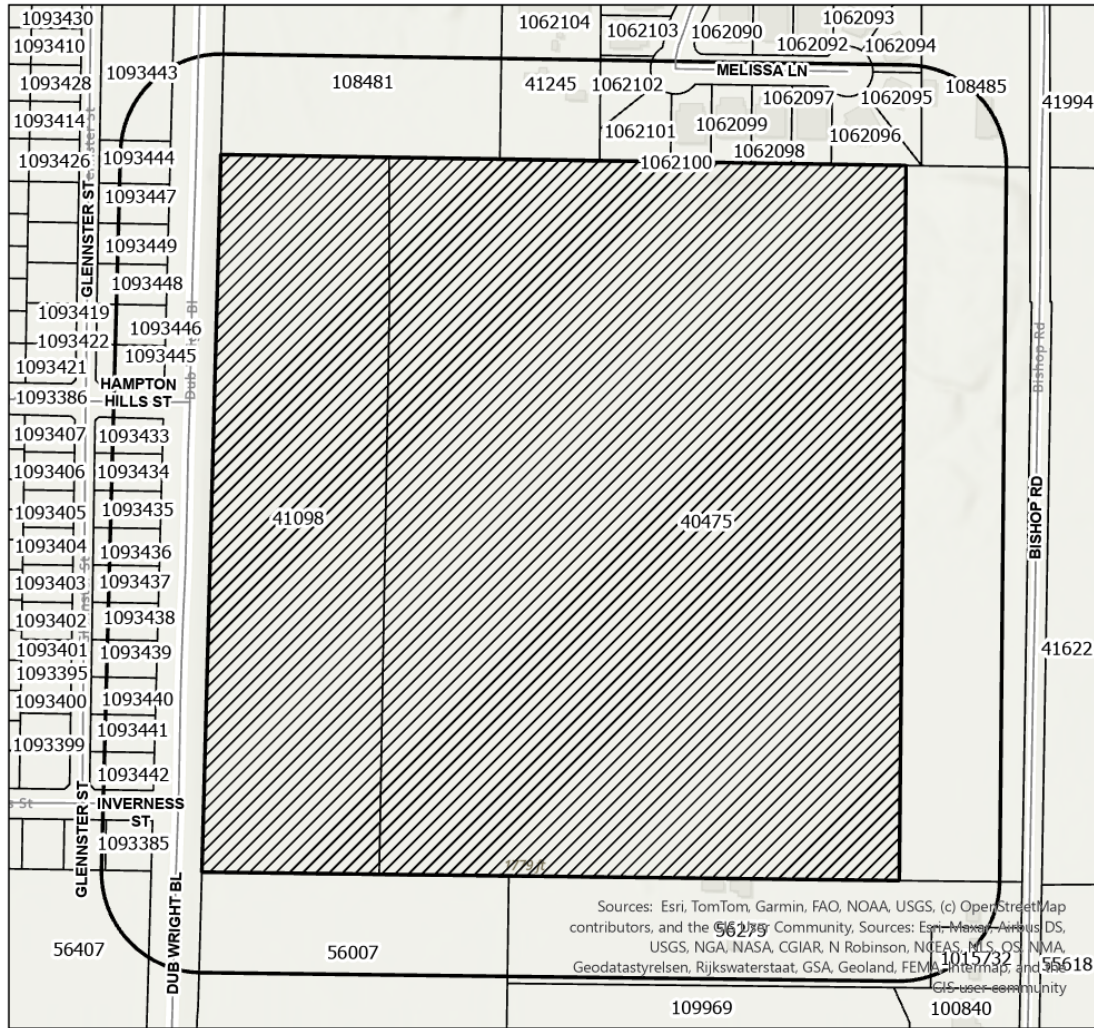
LANTRIP KENNETH EUGENE & CINDY KAY	1093445	2925 GLENNSTER ST	
LANTRIP KENNETH EUGENE & CINDY KAY	1093446	2917 GLENNSTER ST	
LANTRIP KENNETH EUGENE & CINDY KAY	1093447	2893 GLENNSTER ST	
LEGACY FUNERAL HOLDINGS LLC	41098	3009 DUB WRIGHT BL	
QUEEN BEE ENTERPRISES LLC	1093384	6519 INVERNESS ST	
QUEEN BEE ENTERPRISES LLC	1093385	6509 INVERNESS ST	
QUEEN BEE ENTERPRISES LLC	1093443	2810 DUB WRIGHT BL	
QUEEN BEE ENTERPRISES LLC	1093444	2885 GLENNSTER ST	
QUEEN BEE ENTERPRISES LLC	1093448	2909 GLENNSTER ST	
QUEEN BEE ENTERPRISES LLC	1093449	2901 GLENNSTER ST	
RENFRO ELDRED R & PATRICIA A	56275	3202 BISHOP RD	
ROCHA ROBERT G	108485	2850 BISHOP RD	

PROP ID

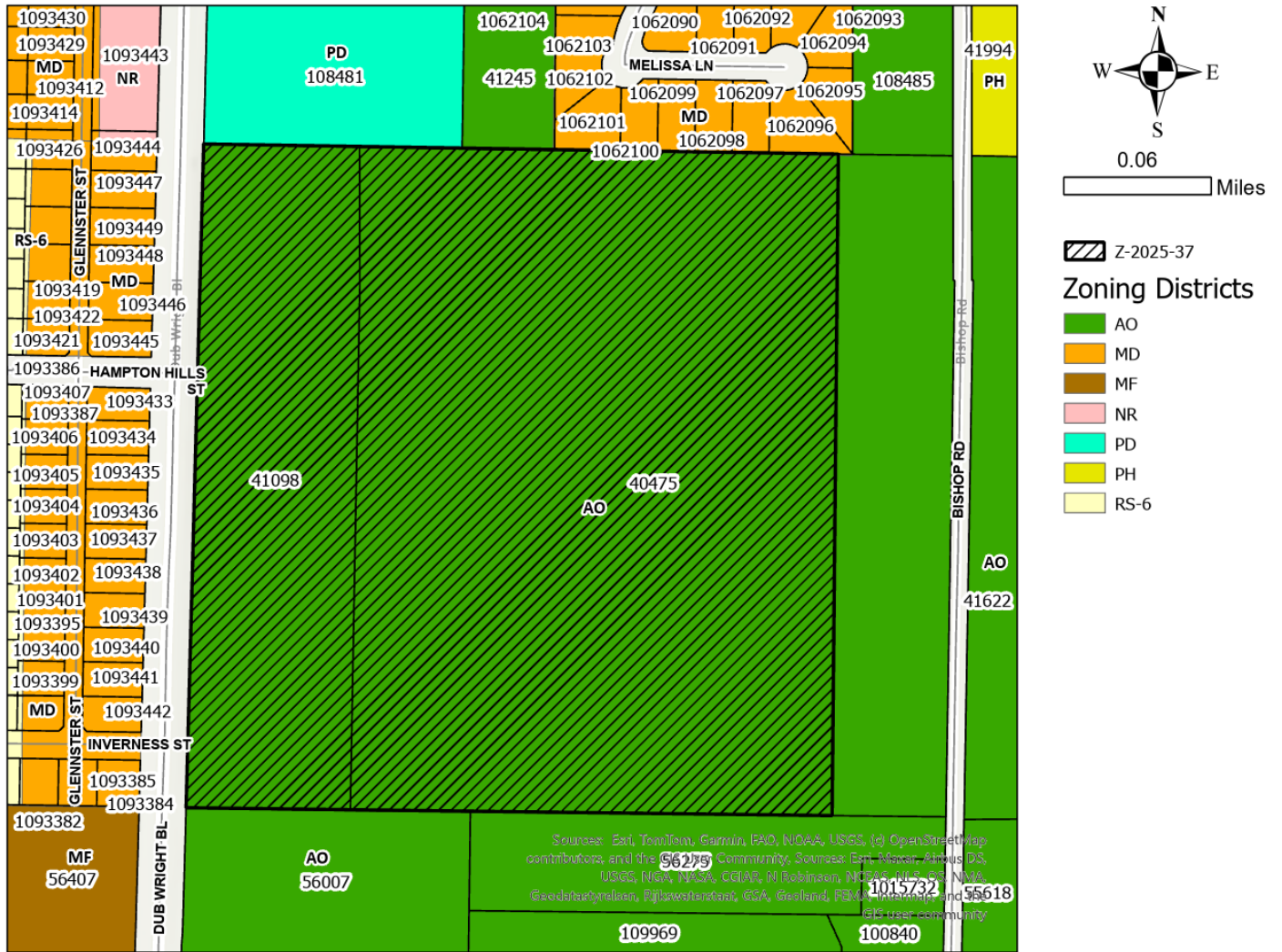
Legend: O - Opposed, F - In Favor

OWNER	PROP_ID	SITUS	RESPONSE
LEGACY FUNERAL HOLDINGS LLC	40475	3010 BISHOP RD	
LEGACY FUNERAL HOLDINGS LLC	41098	3009 DUB WRIGHT BL	
CLARK JAMES RONALD & YONG C	41245	6049 JENNINGS DR	F
KKP INVESTMENTS LLC	56007	3201 DUB WRIGHT BL	F
RENFRO ELDRED R & PATRICIA A	56275	3202 BISHOP RD	
KKP INVESTMENTS LLC	56407	6310 BUTTERFIELD TR	F
06 LEASING LLC	108481	6249 JENNINGS DR	
ROCHA ROBERT G	108485	2850 BISHOP RD	
BISHOP LANHAM RICKY III	1015732	3214 BISHOP RD	
B R FOREST ENTERPRISES LLC	1062094	2883 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062095	2884 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062096	2874 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062097	2866 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062098	2858 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062099	2850 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062100	2842 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062101	2834 MELISSA LN	
B R FOREST ENTERPRISES LLC	1062102	2826 MELISSA LN	
QUEEN BEE ENTERPRISES LLC	1093384	6519 INVERNESS ST	
QUEEN BEE ENTERPRISES LLC	1093385	6509 INVERNESS ST	
HAMPTON HILLS LLC	1093433	3001 GLENNSTER ST	
HAMPTON HILLS LLC	1093434	3009 GLENNSTER ST	
HAMPTON HILLS LLC	1093435	3017 GLENNSTER ST	
HAMPTON HILLS LLC	1093436	3025 GLENNSTER ST	
HAMPTON HILLS LLC	1093437	3033 GLENNSTER ST	
HAMPTON HILLS LLC	1093438	3043 GLENNSTER ST	
HAMPTON HILLS LLC	1093439	3049 GLENNSTER ST	
HAMPTON HILLS LLC	1093440	3059 GLENNSTER ST	
HAMPTON HILLS LLC	1093441	3065 GLENNSTER ST	
HAMPTON HILLS LLC	1093442	3075 GLENNSTER ST	
QUEEN BEE ENTERPRISES LLC	1093443	2810 DUB WRIGHT BL	
QUEEN BEE ENTERPRISES LLC	1093444	2885 GLENNSTER ST	
LANTRIP KENNETH EUGENE & CINDY KAY	1093445	2925 GLENNSTER ST	
LANTRIP KENNETH EUGENE & CINDY KAY	1093446	2917 GLENNSTER ST	
LANTRIP KENNETH EUGENE & CINDY KAY	1093447	2893 GLENNSTER ST	
QUEEN BEE ENTERPRISES LLC	1093448	2909 GLENNSTER ST	
QUEEN BEE ENTERPRISES LLC	1093449	2901 GLENNSTER ST	

NOTIFICATION MAP



ZONING MAP



X:\CM_Kyle_Pou\25300 - Legacy Funeral Holdings 53 Acre Tract - Kyle Pou\Drafting_Base\maps_Sitebase\25300 - Sitebase.dwg
Saved By: clarrow
Save Time: 8/29/2025 12:29 PM
Plotted by: damon butler
Plot Date: 9/5/2025 10:42 AM



PROJECT OVERVIEW

Project Type: Zoning Application | **Project Title:** Z-2025-37 AO to GC & RS-6

ID # 25-000219 | **Started** 09/02/2025 at 4:21 PM



Address

3009 Dub Wright Bl, Abilene, TX USA 79606

Legal

A0018 Sur 43 William Bishop
A0018 Sur 43 William Bishop, Acres 12.11

Description

Rezoning of Approx. 8.1 Acres to GC and approx. 36.6 acres to RS-6.

PROPERTY DETAILS

Property ID	41098
GEO ID	60168
Enforcement Area	Dyess Area

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
Clayton Farrow	cfarrow@jacobmartin.com 3256951070	3465 Curry Lane Abilene, TX 79606-2287	Engineer	APPLICANT
Legacy Funeral Holdings - Llc		3103 Sackett St Houston, TX 77098-2016	-	Property Owner

INFORMATION FIELDS

Owner Name Legacy Funeral Holdings, LLC.
Agent Name Jacob & Martin
Block -
Lot -
Acreage -
Legal Description of property A0018 SUR 43 WILLIAM BISHOP, ACRES 12.11 & A0018 SUR 43 WILLIAM BISHOP, ACRES 40.87
Subdivision Name -
Current Zoning AO

Proposed ZoningGC & RS-6

Agree to TermsClayton Farrow 9-2-2025

CREDENTIALS

Developer

Homeowner

Engineer

Name	Contact Info	Address	Credentials	Availability	Validity
Clayton Farrow	cfarrow@jacobmartin.com (325) 695-1070	3465 Curry Lane Abilene, TX 79606-2287		0 days left	Off

Surveyor

ATTACHED DOCUMENTS**UPLOADED ON****UPLOADED BY**

25300 - Zoning Exhibit.pdf

09/08/2025 at 11:15 AM

Clarissa Ivey

Document_250902_141336.pdf

09/02/2025 at 4:27 PM

Clarissa Ivey

EPR DOCUMENTS**ASSOCIATED STEPS****STATUS****LAST REVIEW BY**

Civil

Zoning Application Review

Not Uploaded

-

GENERAL COMMENTS

No data for General Comments.

Owner Authorization and Representative Designation

Property Description

Subdivision: Legacy Funeral Holdings, LLC Total Number of Acres: ~44.8
Zoning Classification(s): AO Total Number of Lots: _____
Location: ±44.8 Acre out of ±53 Acre tract. Parcel ID's 41098 & 40475

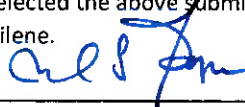
Property Owner Information & Authorization

Name/Company: Legacy Funeral Holdings, LLC.
Address: 3103 Sackett Street
City: Houston State: TX Zip Code: 77098
Phone: 713-819-2711 Email: mps@legacyfuneralgroup.com

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate Jacob & Martin, LLC (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

Property Owner's Signature:  Date: 9-2-2025

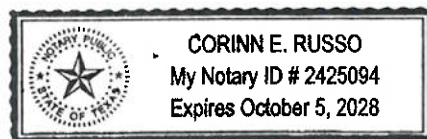
STATE OF: Texas

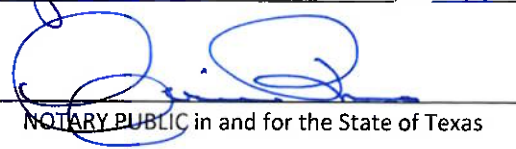
COUNTY OF: Harris

Michael L. Soper, President of Legacy Funeral Holdings, Inc.
obo Legacy Funeral Holdings LLC

BEFORE ME, a Notary Public, on this day personally appeared _____
(printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 2nd day of September, 2025




NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☒ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other(specify): _____

Name: Clayton Farrow or Tal Fillingim Company: Jacob & Martin, LLC
Address: 3465 Curry Lane City: Abilene State: Texas
Zip Code: 79606 Number: 325-695-1070 Email: cfarrow@jacobmartin.com

Request New Project

To request a project, complete the information below. Then, click the "Request Project" button.

[Go back](#)

Selected Project Template:

Zoning Application

Project Title:

ex: Remodel Pharmacy in Walmart

Zoning Application for Legacy Funeral Holdings

Location:

Select an existing location from Location Manager.

Property ID

3009 Dub Wright Bl, Abilene, TX 79606,Property 41098 GEO 60

[Pick GIS Location](#)

[Advanced Search](#)

Existing Projects for this Location:

View and link other projects at this location.

Active 0 Archived 0 All 0

[Permits & Inspections](#)

0

Credentials:

These are the credentials

CREDENTIALS

Developer

Homecenter

Engineer

[Clayton Farrow](#)

Surveyor

Project Description:

Enter a complete description of the main work related to this project

Rezoning of Approx. 8.1 Acres to GC and approx. 36.6 acres to RS-6.

Requirements

These are the requirements.

Field Name:

Value:

Owner Name

Please enter the owner name.

Legacy Funeral Holdings

Agent Name

Please enter the agent name.

Jacob & Martin

Block

Requirements

These are the requirements.

Field Name:**Value:****Owner Name ***

Please enter the owner name.

Legacy Funeral Holdings

Agent Name

Please enter the agent name

Jacob & Martin

Block

Please enter the block.

Lot

Please enter the lot.

Acreage

Please enter the acreage.

Legal Description of property *

Enter legal description of property here

A0018 SUR 43 WILLIAM BISHOP, ACRE

Subdivision Name

Please enter the subdivision name.

Current Zoning *

Please enter the current zoning.

AO

Proposed Zoning *

Please enter the proposed zoning (if applicable)

GC & RS-6

Agree to Terms *

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct, and does hereby request that said application to be submitted to the Planning and Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning and Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning and Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation. Please enter full name and date below.

Upon submitting, you must upload electronic plans.

Cancel

Request Project

Requirements

These are the requirements.

Field Name:**Value:****Owner Name ***

Please enter the owner name.

Legacy Funeral Holdings

Agent Name

Please enter the agent name.

Jacob & Martin

Block

Please enter the block.

Lot

Please enter the lot.

Acreage

Please enter the acreage.

Legal Description of property *

Enter legal description of property here

A0016 SUR 43 WILLIAM BISHOP, ACRE

Subdivision Name

Please enter the subdivision name

Current Zoning *

Please enter the current zoning.

AO

Proposed Zoning *

Please enter the proposed zoning (if applicable)

GC & RS-6

Agree to Terms *

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct and does hereby request that said application to be submitted to the Planning and Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning and Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of \$120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning and Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation. Please enter full name and date below

Upon submitting, you must upload electronic plans.

Cancel

Request Project



3465 Curry Lane Abilene, Texas
325-695-1070 www.jacobmartin.com
Firm # 10194493

**METES & BOUNDS DESCRIPTION
PROPOSED "RS-6" ZONING TRACT
CITY OF ABILENE
TAYLOR COUNTY, TEXAS**

BEING a **36.72 acre** zoning tract out of the W. Bishop Survey No. 43, Abstract No. 18, City of Abilene, Taylor County, Texas and being out of a called 52.981 acre tract, known as Tract 2, more particularly described in a Special Warranty Deed to Legacy Funeral Holdings, LLC, recorded in Volume 3349, Page 768, Official Public Records, Taylor County, Texas. Said **36.72 acre** tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northwest corner of this described tract and being in the north line of said Tract 2, and said point being S89°10'36"E, 250.02 feet from the northwest corner of said Tract 2;

THENCE S89°10'36"E, 1,111.43 feet along the north line of this described tract and said Tract 2 to the northeast corner of this described tract;

THENCE S00°37'13"W, 1,424.41 feet along the east line of this described tract and over and across said Tract 2 to a point for the southeast corner of this described tract;

THENCE N89°12'45"W, 776.79 feet along the south line of this described tract and said Tract 2 to an angle corner of this described tract and said Tract 2;

THENCE N88°56'30"W, 345.29 feet along the south line of this described tract and said Tract 2 to an angle corner of this described tract and said Tract 2;

THENCE N89°32'25"W, 12.23 feet along the south line of this described tract and said Tract 2 to the southwest corner of this tract and said Tract 2;

THENCE N01°32'28"E, 1,423.66 feet along the west line of this described tract and over and across said Tract 2 to the **POINT OF BEGINNING** and containing **36.72 acres** of land, more or less.



3465 Curry Lane Abilene, Texas
325-695-1070 www.jacobmartin.com
Firm # 10194493

**METES & BOUNDS DESCRIPTION
PROPOSED "GC" ZONING TRACT
CITY OF ABILENE
TAYLOR COUNTY, TEXAS**

BEING a **8.18 acre** zoning tract out of the W. Bishop Survey No. 43, Abstract No. 18, City of Abilene, Taylor County, Texas and being out of a called 52.981 acre tract, known as Tract 2, more particularly described in a Special Warranty Deed to Legacy Funeral Holdings, LLC, recorded in Volume 3349, Page 768, Official Public Records, Taylor County, Texas. Said **8.18 acre** tract is more particularly described in metes and bounds as follows:

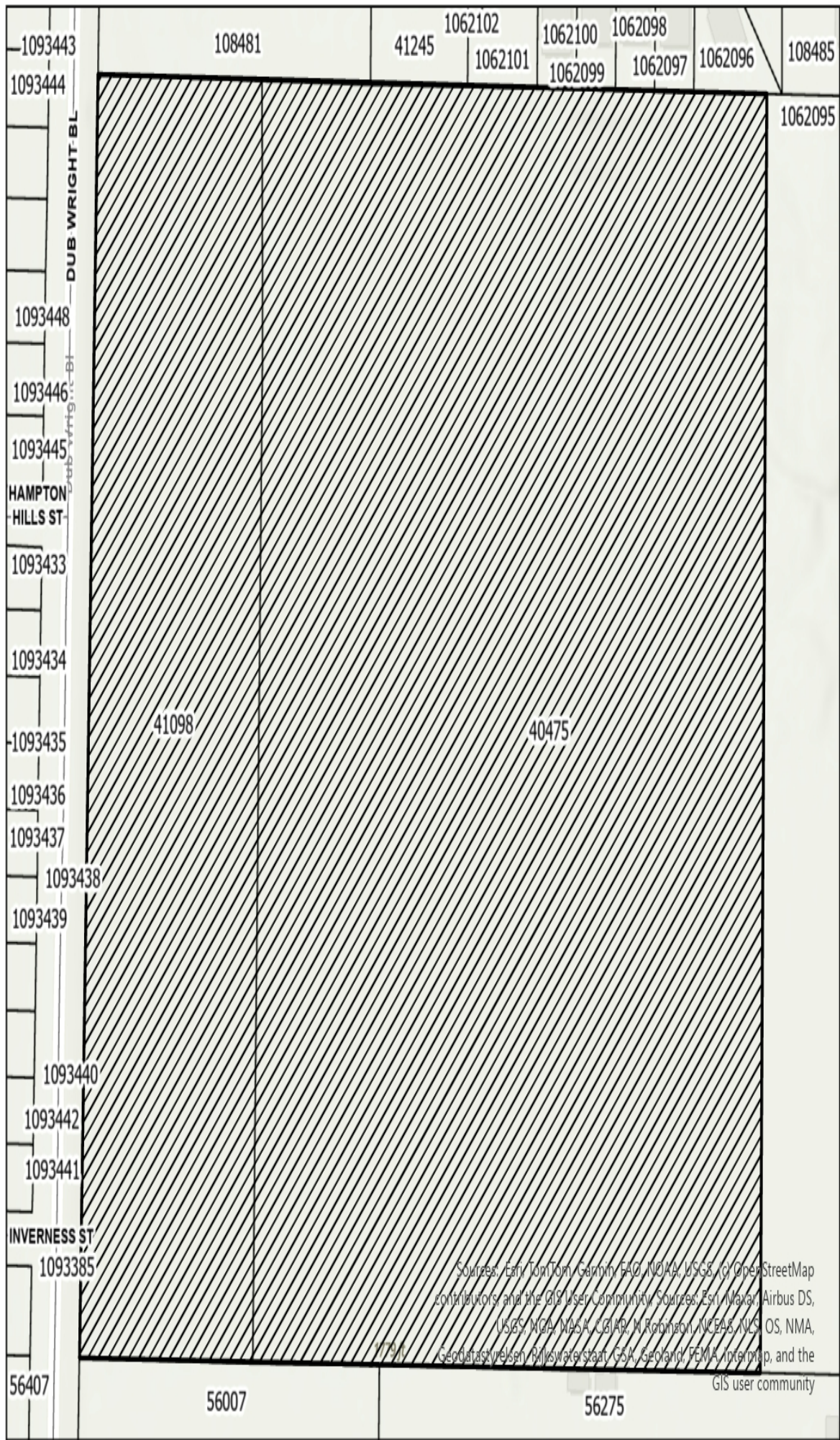
BEGINNING at a point for the northwest corner of this described tract and said Tract 2, and said point being in the east right-of-way line of Dub Wright Blvd., also known as FM 3438;

THENCE S89°10'36"E, 250.02 feet along the north line of this described tract and said Tract 2 to the northeast corner of this described tract;

THENCE S01°32'28"W, 1,423.66 feet along the east line of this described tract and over and across said Tract 2 to a point for the southeast corner of this described tract;

THENCE N89°32'25"W, 250.05 feet along the south line of this described tract and said Tract 2 to the southwest corner of this tract and said Tract 2;

THENCE N01°32'28"E, 1,425.25 feet along the west line of this described tract and said Tract 2, and along the east right-of-way line of said Dub Wright Blvd. to the **POINT OF BEGINNING** and containing **8.18 acres** of land, more or less.



0.04

Miles

Z-2025-37

FEMA Flood Zones

- Floodway Floodway
- 100 Year 1% 100 Year 1%
- 100 Year 1% 100 Year 1%
- 500 Year .2% 500 Year .2%
- Unstudied A Zone Unstudied A Zone

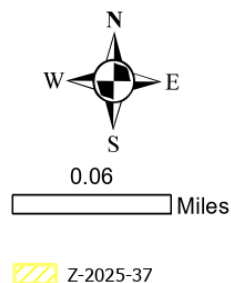
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community
 Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CCBAR, M. Robinson, NCEAS, NLS, OS, NMA, Geodatastore.nl, Bilswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



REZONE REQUEST

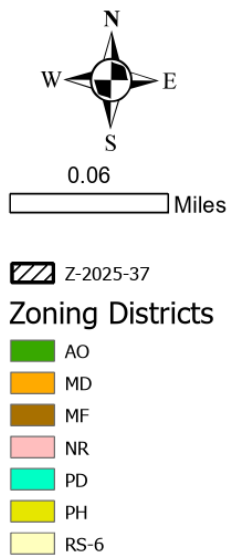
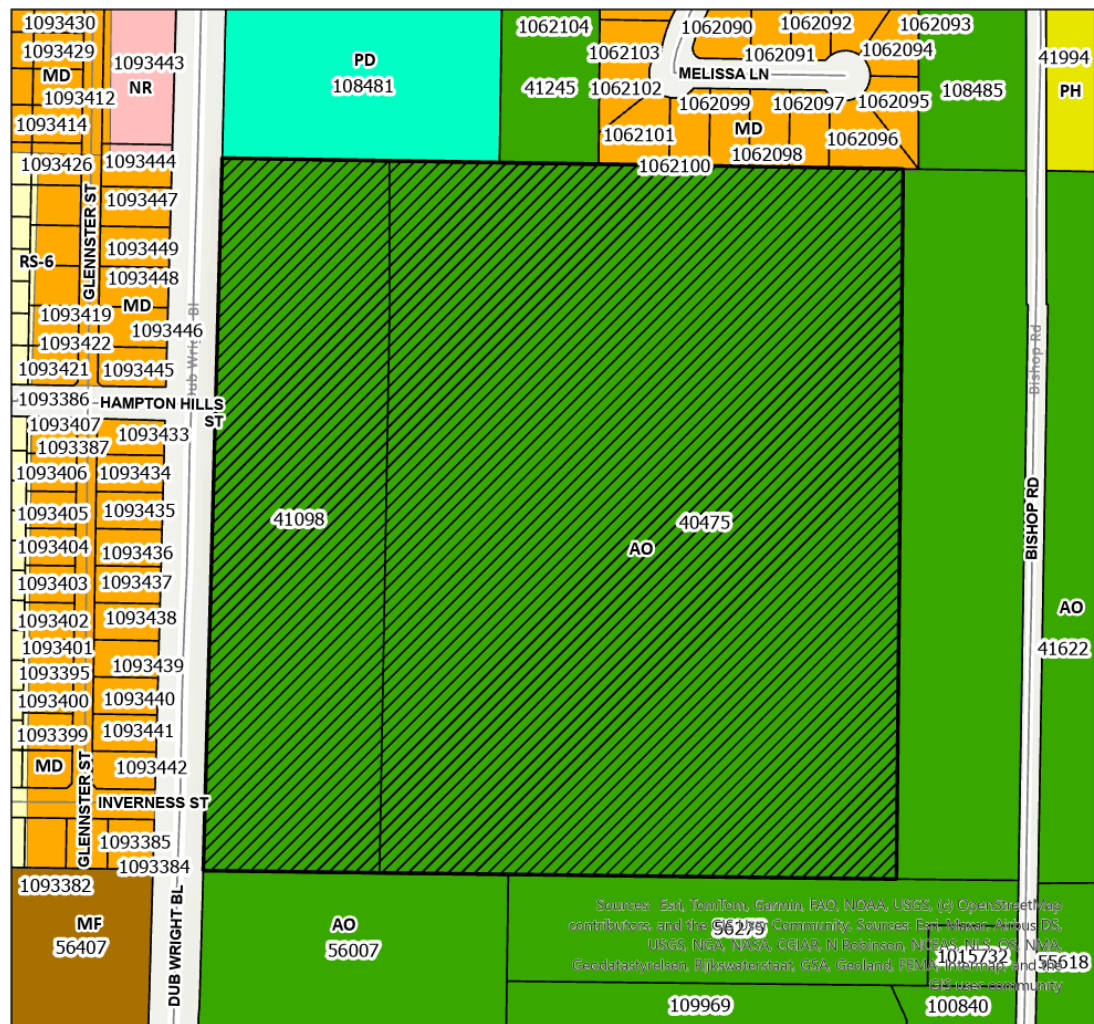
Case:	Z-2025-37
Owner:	Legacy Funeral Holdings
Applicant:	Jacob Martin
Request:	Change the zoning of approximately 44.7 acres from Agricultural Open (AO) to General Commercial (GC) and Residential Single-Family (RS-6).
Location:	3009 Dub Wright Boulevard
Notification:	3 in Favor, 0 in Opposition
Planning & Zoning:	October 7, 2025
Council Hearing:	October 23, 2025 November 6, 2025







ZONING MAP



- Z-2025-37
- Zoning Districts**
- AO
 - MD
 - MF
 - NR
 - PD
 - PH
 - RS-6



Sources: Esri, TomTom, Garmin, EAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Mapbox, DeLorme, USGS, Mapbox, Garmin, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Mapbox, DeLorme, USGS, Mapbox, Garmin, (c) OpenStreetMap contributors, and the GIS User Community.



USES IN AGRICULTURAL OPEN ZONING

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling— Industrialized Housing Unit
- P Dwelling – Single-Family Detached
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P Animal Lot
- P/C Day Care Operation – Home-Based*
- P Dwelling – Accessory*
- TP Field Office or Construction Office (temporary)*
- P Freight Container*
- P Garage Sale
- P Home Occupation
- C Mobile Home (permanent security residence)
- C Mobile Home (temporary security residence)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems*

CULTURAL AND RECREATIONAL USES:

- P Civic, Social, and Fraternal Organization
- P Fairgrounds/Rodeo
- C Motorized Racing
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- C Correction, Detention, or Penal Facilities
- P Fire/Police Station
- C Military and Armed Forces Reserve Center
- C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P School: Public/Private

SERVICE:

- C Kennel (with outdoor pens)
- P Kennel (without outdoor pens)
- P Veterinary Service (all size animals)

TRADE – RETAIL USES:

- C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Airport, Heliport and Flying Field Terminals – Commercial
- C Antenna Tower – Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Farming, Ranching & Livestock, Hatchery
- C Mining
- C Petroleum or Gas Well
- P Urban Garden

LEGEND

P

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

C

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

TP

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





USES IN GENERAL COMMERCIAL ZONING

RESIDENTIAL USES:

- P Hotel/Motel
- C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

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

EDUCATIONAL AND RELIGIOUS USES:

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

SERVICE:

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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

TRADE – WHOLESALE USES:

- C Wholesaling and Storage (indoor)

TRADE – RETAIL USES:

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

TRANSPORTATION, COMMUNICATION AND UTILITIES:

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

LEGEND

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





USES IN RESIDENTIAL ZONING

RESIDENTIAL USES:

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

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

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

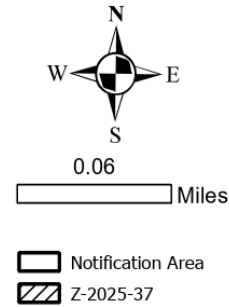






VIEWS OF SUBJECT PROPERTY





0 - in Opposition -





FINDINGS AND RECOMMENDATIONS

The proposed request is consistent with:

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

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **20. Ordinance (First Reading) Z-2025-38: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, To Change The Zoning Of Approximately 0.48 Acres From Heavy Industrial (HI) To Light Industrial (LI). Located At 525 S Treadaway Blvd. *(Tim Littlejohn)***

GENERAL INFORMATION

The applicant is proposing to downzone the property to permit auto sales. This use was previously grandfathered; however, Ted Thompson Motors closed in 2020. Following this closure, the property was utilized for contractor services for several years, abandoning the use of auto sales.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

P & Z recommends approval.

ATTACHMENTS:

1. Ordinance
2. Staff Report
3. Application
4. Z-2025-38 Flood
5. Presentation

BACKUP DOCUMENTATION UPDATED? Yes

UPDATED ON: 10/21/2025

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

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

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

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 23rd day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the *Abilene Reporter-News*, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2025, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 6th day of November, 2025, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 6th day of November, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning of approximately 0.48 acres from Heavy Industrial (HI) to Light Industrial (LI).

Located at 525 S Treadaway Boulevard.

Legal description being Lots 7-10, Block 93, Original Town Abilene, Abilene, Taylor County, Texas



END

ZONING CASE

Z-2025-38

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: October 7, 2025
City Council 1st Reading: October 23, 2025
City Council 2nd Reading: November 6, 2025

Applicant

Owner: Cody Morrow
Agent: Adrian Guerrero

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 0.48 acres from Heavy Industrial (HI) to Light Industrial (LI).

Location

Located at 525 S Treadaway Blvd. Legal description being Lots 7-10, Block 93, Original Town Abilene, Abilene, Taylor County, Texas.

Background

The applicant is proposing to downzone the property to permit auto sales. This use was previously grandfathered; however, Ted Thompson Motors closed in 2020. Following this closure, the property was utilized for contractor services for several years, abandoning the use of auto sales.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	HI	Contractor Services
East	HI	Contractor Services
South	HI	Retail
West	HC	Auto-Repair

Criteria Assessment

Section 1.4.1.4 of Abilene's Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

- (1) **Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan Map, as amended.**

The proposed use is consistent Comprehensive Plan.

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

The proposed zoning would be appropriate as it would be consistent with the surrounding uses.

(3) **Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.**

This property has access to all required utilities.

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

None known.

Planning & Zoning Commission Recommendation

P&Z recommends **approval**.

Attachments

- PowerPoint Presentation
- Project Overview

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on September 19, 2025, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

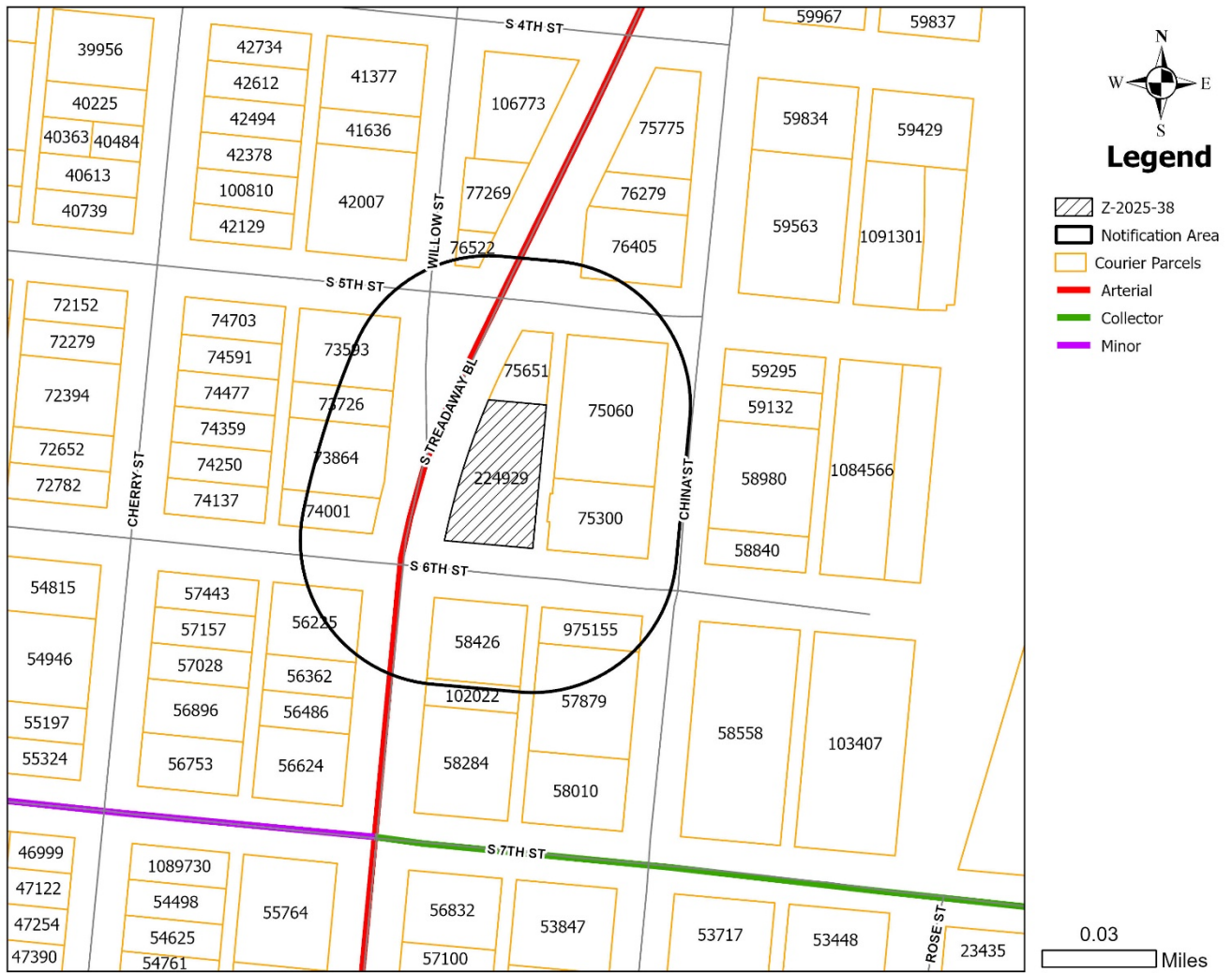
PROPERTY OWNER		Legend: O - Opposed, F - In Favor	
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE IMPACT GROUP LP	57879	610 CHINA ST	
ADVANTAGE OUTDOOR COMPANY LP	76522	446 S TREADAWAY BL	
BRYAN STACY VIRGINIA	975155	602 CHINA ST	
GPM EMPIRE LLC	102022	617 S TREADAWAY BL	
GRISHAM GARY W & SANDY	75060	550 CHINA ST	
GRISHAM GARY W & SANDY	75060	502 CHINA ST	
HAILEY NORMAN HARRELL	73593	502 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76405	441 S TREADAWAY BL	
LANDEROS JESSE	56225	602 S TREADAWAY BL	
MARQUEZ MARTIN	58426	601 S TREADAWAY BL	
MORROW CODY	224929	525 S TREADAWAY BL	
NIEDECKEN GEORGE	74001	540 S TREADAWAY BL	
NIGRO VINCENT	75651	509 S TREADAWAY BL	
SCOTT HERITAGE LLC	73726	524 S TREADAWAY BL	
SCOTT HERITAGE LLC	73864	526 S TREADAWAY BL	
SCOTT HERITAGE LLC	73864	528 S TREADAWAY BL	
SINCLAIR ELIZABETH THOMPSON	75300	418 S 6TH ST	F

PROPERTY ID

Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
LANDEROS JESSE	56225	602 S TREADAWAY BL	
ABILENE IMPACT GROUP LP	57879	610 CHINA ST	
MARQUEZ MARTIN	58426	601 S TREADAWAY BL	
HAILEY NORMAN HARRELL	73593	502 S TREADAWAY BL	
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GRISHAM GARY W & SANDY	75060	502 CHINA ST	
SINCLAIR ELIZABETH THOMPSON	75300	418 S 6TH ST	F
NIGRO VINCENT	75651	509 S TREADAWAY BL	
HOEMKE PROPERTY LLC	76405	441 S TREADAWAY BL	
ADVANTAGE OUTDOOR COMPANY LP	76522	446 S TREADAWAY BL	
GPM EMPIRE LLC	102022	617 S TREADAWAY BL	
MORROW CODY	224929	525 S TREADAWAY BL	
BRYAN STACY VIRGINIA	975155	602 CHINA ST	

NOTIFICATION MAP



LOCATION MAP



Legend

- Z-2025-38
- Courier Parcels
- Arterial

0.01
Miles

ZONING MAP





2025 Development Application

Zoning Application Page 1 of 3

Planning

- ☐ Conditional Use ☐ Special Exceptions ☒ Rezoning ☐ Variance
☐ PDD Amendment ☐ Street Name Change ☐ Thoroughfare Abandonment
☐ Easement Release

Relief Procedures

- ☐ Petition for Relief ☐ Proportionality Appeal ☐ Vested Rights Petition ☐ Appeal
Other: _____

Project Name:

Address: 525 S. Treadaway Blvd Number of Lots: 4 Acreage: _____
Legal Description: OT Abilene, Block 93 Lot 7-10
Subdivision Name: 70100 Block: 93 Lot: 7-10
Current Zoning: HI Proposed Zoning (if applicable): LI

OWNER AND AUTHORIZATION

Owner Name: Cody Morrow
Address: 7718 John Carroll Dr.
City, State, Zip: Abilene, Tx 79606 Fax: _____
Phone: (325) 468-0284 Email: codymorrowemail@gmail.com
Agent Name: Adrian Guerrero
Address: 342 Cedar St #7
City, State, Zip: Abilene, Tx 79601 Fax: _____
Phone: (325) 455-6803 Email: aguerrero281@yahoo.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature of Owner: _____

Date: 9-5-25

FOR OFFICE USE ONLY

Received: _____

Fee: \$ _____

Receipt No.: _____

Case No.: _____

Reviewed By: _____



2025 Development Application

Zoning Application Page 2 of 3

Existing Zoning

- | | | | |
|--------------------------------|--|--|------------------------------|
| ☐ AO | Agricultural Open Space | ☐ GR | General Retail |
| ☐ RR | Rural Residential RR-5 & RR-1 | ☐ MU | Medical Use |
| ☐ RS-12 | Residential Single-Family – 12,000 sq. ft lots | ☐ CB | Central Business |
| ☐ RS-8 | Residential Single-Family – 8,000 sq. ft lots | ☐ MX | Mixed Use |
| ☐ RS-6 | Residential Single-Family – 6,000 sq. ft lots | ☐ GC | General Commercial |
| ☐ PH | Single-Family Residential Patio Home | ☐ HC | Heavy Commercial |
| ☐ TH | Residential Townhouse | ☐ LI | Light Industrial |
| ☐ MD | Residential Medium Density | ☒ HI | Heavy Industrial |
| ☐ MH | Manufactured/Mobile Home | ☐ PD | Planned Development District |
| ☐ CU | College & University | ☐ | Empowerment Overlay |
| ☐ NO | Neighborhood Office | | |
| ☐ O | Office | | |
| ☐ NR | Neighborhood Retail | | |

Reason for Zoning Change

To retail cars and trucks

Fees

FOR DEVELOPMENT FEES CTRL & CLICK LINK BELOW AND CHOOSE "Z"

<https://abilenetx.gov/563/Fee-Schedule>

Fees can be paid online with credit card.



2025 Development Application

Zoning Application Page 3 of 3

Zoning Impact Analysis

Please answer these questions in order to assist staff with the processing of your zoning request.

1. Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map?

yes

2. Is the use permitted by the proposed change in the zoning district's classification? Are the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

yes

3. Are the proposed changes in agreement with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

yes

4. Are there other factors that will substantially affect the public health, safety, morals, or general welfare?

no

Other Required Forms - Disclosure of Interest (See Attached)



2025 Development Application

Disclosure of Interest

Disclosure Questions

Every question must be answered. If the question is not applicable, answer with "N/A".

NOTE: If the Project Representative is not the Property Owner, this form must be filled out by **both** the Property Owner and the Project Representative.

A. Do you believe that a City official* or City employee** may have a conflict of interest in the property or application referenced on the reverse side? ☐ Yes ☒ No

B. If so, state the name of each City official or employee of the City of Abilene known by you that may have a conflict of interest in the property or application referenced on reverse side.

C. State all information upon which you base the belief (use additional paper, if necessary).

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Abilene, Texas, as changes occur.

Name of Certifying Person (print): Adrian Guerrero

Property Owner ☐ Project Representative ☒

Signature of Certifying Person: [Signature]

*Mayor, City Council members, Planning and Zoning Commission members, and Zoning Board of Adjustment members

**City Manager, City Secretary, City Attorney, and all department heads



2025 Development Application

THE STATE OF TEXAS)

)

COUNTY OF TAYLOR)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment) * concerning such property and

(2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the Planning & Development Services Division for the City of Abilene, Texas.

Witness my hand this day of _____, 20____

SIGNED: _____

A handwritten signature in black ink, appearing to be "L. J. Smith", is written over a horizontal line.

*(cross out the inapplicable phrase)



2025 Development Application

Owner Authorization and Representative Designation

Property Description

Subdivision: 70100 Total Number of Acres: _____
Zoning Classification(s): R HI Total Number of Lots: 34
Location: _____

Property Owner Information & Authorization

Name/Company: Cody D. Morrow
Address: 17718 John Carroll Dr.
City: Abilene State: TX Zip Code: 79606
Phone: 325-668-0284 Email: cody.morrow@gmail.com

Project Representation (check one):

- ☐ I will represent the application myself; OR
☒ I hereby designate Adrian Guervero (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

I hereby certify that I am the property owner of the property and further certify that the information provided on this development application is true and correct. I have selected the above submittal type, representation, and landscape incentive of my own volition and not at the request of the City of Abilene.

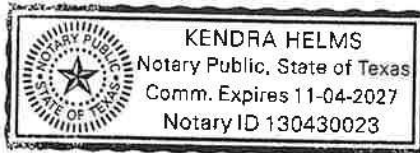
Property Owner's Signature: [Signature] Date: 9/5/25

STATE OF: Texas

COUNTY OF: Taylor

BEFORE ME, a Notary Public, on this day personally appeared Cody Morrow
(printed property owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the property owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this 5th day of September, 20 25



[Signature]
NOTARY PUBLIC in and for the State of Texas

Project Representative Information (complete if designated by owner)

☐ Engineer ☐ Purchaser ☐ Tenant ☐ Preparer ☐ Other(specify): _____

Name: _____ Company: _____
Address: _____ City: _____ State: _____
Zip Code: _____ Number: _____ Email: _____



- Z-2025-38
- FEMA Flood Zones**
- | | |
|------------------|------------------|
| Floodway | Floodway |
| 100 Year 1% | 100 Year 1% |
| 100 Year 1% | 100 Year 1% |
| 500 Year .2% | 500 Year .2% |
| Unstudied A Zone | Unstudied A Zone |

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (d) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



REZONE REQUEST

Case: Z-2025-38

Owner: Cody Morrow

Agent: Adrian Guerrero

Request: Change the zoning of approximately 0.48 acres from Heavy Industrial (HI) to Light Industrial (LI)

Location: 525 S Treadaway Blvd

Notification: 1 in Favor, 0 in Opposition

Planning & Zoning: October 7, 2025

Council Hearing: October 23, 2025
November 6, 2025





AERIAL LOCATION MAP

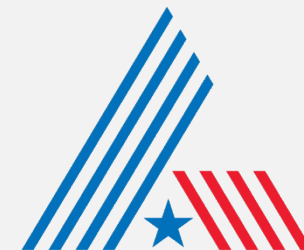


Legend

-  Z-2025-38
-  Courier Parcels
-  Arterial

0.01

Miles



CITY OF
ABILENE
TEXAS



ZONING MAP



Legend

- Z-2025-38
- Courier Parcels
- HI (Heavy Industrial)
- LI (Light Industrial)
- HC (Heavy Commercial)
- RS (Residential - Single Family)
- Arterial

0.01
Miles



CITY OF
ABILENE
TEXAS



USES IN HEAVY INDUSTRIAL ZONING

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- TP Field Office or Construction Office (temporary)
- P Freight Container
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recycling Collection Point
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Adult Entertainment Enterprise
- C Motorized Racing

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- P Homeless/Emergency Shelter
- P Post Office
- P Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- P Educational and Scientific Research
- P School: Public/Private

SERVICE:

- P Contractor Services
- P Recycling Collection and Processing Center
- P Scales (public)
- P Wrecker/Towing

TRADE – RETAIL USES:

- P Head Shop
- C Scrap and Waste Material

TRADE – WHOLESALE USES:

- C Livestock – Wholesale or Auction
- P Wholesaling and Storage (indoor)
- P Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
- P Antenna Tower - Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Pressure Control Station
- P Public Utility Facility
- P Railroad Switching and Marshaling Yard
- P Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Mining
- P Petroleum or Gas Well
- P Liquor
- P Manufacturing (light)
- P Manufacturing (heavy)
- P Urban Garden

LEGEND

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





USES IN LIGHT INDUSTRIAL ZONING

ACCESSORY AND INCIDENTAL USES:

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

CULTURAL AND RECREATIONAL USES:

P Adult Entertainment Enterprise
C Cultural Facilities
P Drive-in Theater
C Motorized Racing
P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P Ambulance Service
P Correction, Detention, or Penal Facilities
P Fire/Police Station
P Homeless/Emergency Shelter
P Medical/Dental Laboratory
P Military and Armed Forces Reserve Center
P Post Office
C Sanitary Landfill

SERVICE:

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

EDUCATIONAL AND RELIGIOUS USES:

C Cemetery, Crematorium, and Mausoleum
P Church or Place of Worship
P Educational and Scientific Research
P School: Public/Private
P Trade/Business School

TRADE – RETAIL USES:

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

TRADE – WHOLESALE USES:

P Liquor, Wholesale/Distribution
C Livestock – Wholesale or Auction
P Wholesaling and Storage (indoor)
P Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

P Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
P Antenna Tower - Commercial
P Automobile Parking Lot or Structure - Commercial
P Broadcast Studio
P Passenger Ground Transportation Terminal
P Pressure Control Station
P Public Utility Facility
P Railroad Switching and Marshaling Yard
P Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

C Mining
P Petroleum or Gas Well
P Liquor
P Manufacturing (light)
P Urban Garden

LEGEND

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





PROPERTY VIEWS



Subject property

September 25, 2025 4:15 PM



East Neighboring property

September 25, 2025 4:21 PM



West Neighboring property

September 25, 2025 4:17 PM



South Neighboring property

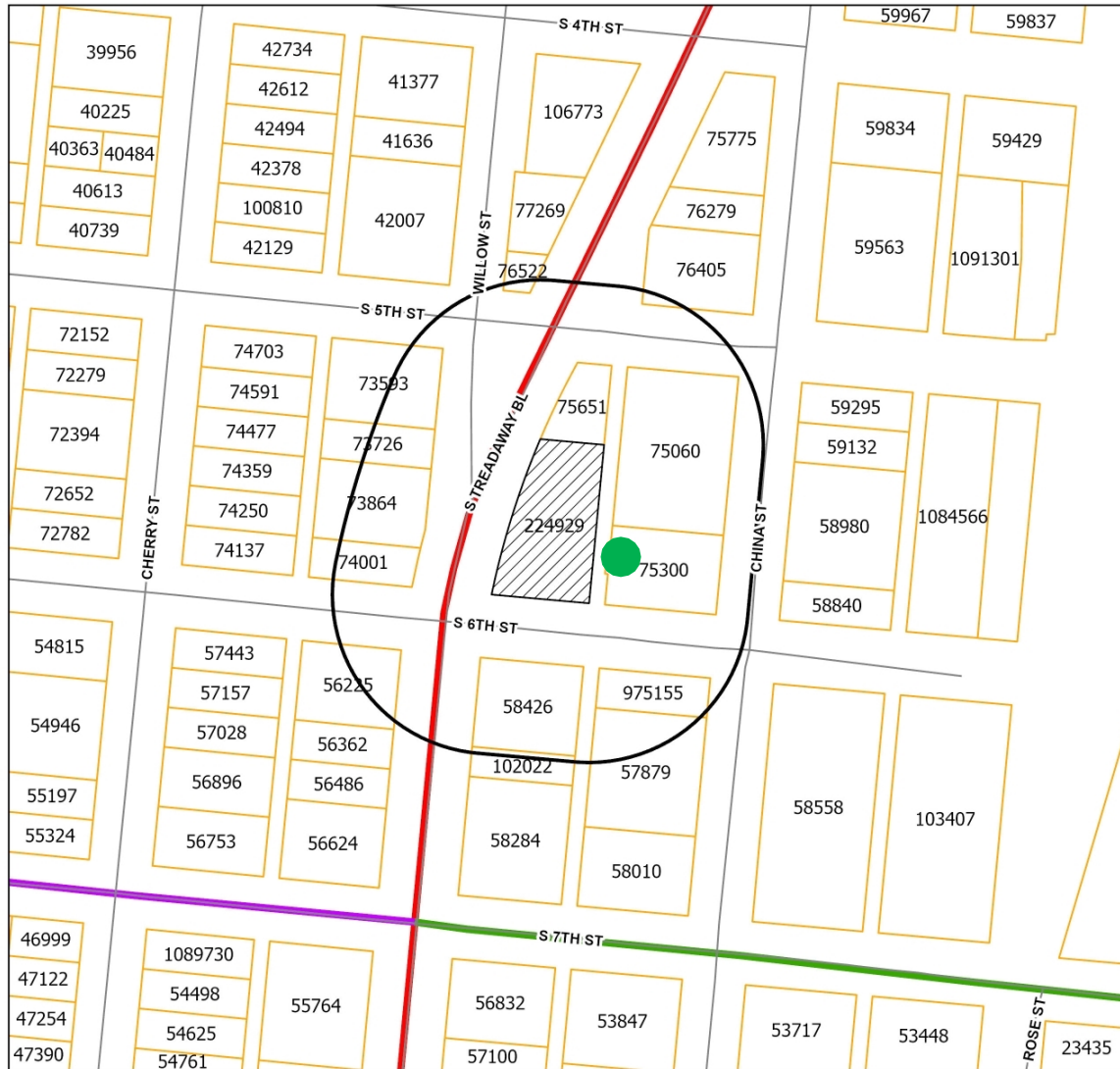
September 25, 2025 4:16 PM



CITY OF
ABILENE
TEXAS



NOTIFICATION AREA MAP

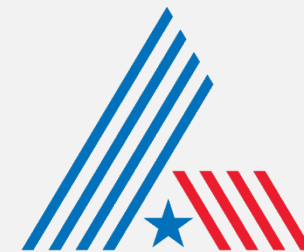


Legend

- Z-2025-38
- Notification Area
- Courier Parcels
- Arterial
- Collector
- Minor

1 - in Favor -

0 - in Opposition -



CITY OF
ABILENE
TEXAS

0.03

Miles



FINDINGS AND RECOMMENDATIONS

The request is consistent with:

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

P&Z Recommendation: **Approval**





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Don Green, Director

ITEM: 21. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing and Take Action to Amend the Fee Schedule Ordinance to Increase Passenger Fares for CityLink (*Don Green*)

GENERAL INFORMATION

CityLink's fares were last increased effective October 1, 2016 (Resolution 123-2016). Since that time, the increased cost of operating CityLink has been absorbed by operating grants from TXDOT and the Federal Transit Administration, and the city's budget. During the very high inflationary periods of 2020-2023, CityLink used COVID-related federal grants to help offset those inflationary pressures and delay the need to increase fares.

Additionally, City Council approved an additional \$743,125.00 from the General Fund for FY26 to help fund increased personnel costs and improve staff recruiting and retainage. The annual Federal and State operating grants available to the City for transit operations are already fully utilized.

The Department of Transportation Services and CityLink recognize that fare increases may impose an additional financial burden on many of its users, but increased user fees are now unavoidable and will be combined with the increased City budgeted funds to meet the higher operating costs.

Fares are proposed to increase November 3, 2025, and October 1, 2026. The fares are detailed as a file in the packet.

FUNDING/FISCAL IMPACT

The proposed fares are estimated to increase operating revenues by \$164,500 in FY26, and an additional \$164,500 in FY27.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends adoption of the new fares for FY26 and FY27.

ATTACHMENTS:

1. 2025 Fee Ordinance Amendment - citylink passenger fares
2. Attachment A - CityLink Fares (Effective 11-3-25 and 10-1-26)
3. Proposed CityLink Fares Increases (Revised 9-24-25)
4. TITLE VI FARE CHANGE EQUITY ANALYSIS
5. 123-2016 CityLink Fees Fares
6. CityLink Fares Increase Presentation

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 63-2025 AND AMENDING FEES AND CHARGES FOR PASSENGER FARES FOR CITYLINK, FOR THE CITY OF ABILENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES, RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HERewith; CALLING A PUBLIC HEARING.

WHEREAS, the City Council adopted Ordinance 63-2025 ("Fee Ordinance") on August 14, 2025 setting fees and charges commencing on October 1, 2025; and,

WHEREAS, it was contemplated that this Fee Ordinance would require amendment from time to time to modify and update fees and charges; and,

WHEREAS, the City of Abilene desires to amend the passenger fares for Citylink; now, therefore,

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

PART 1: That the Schedule of Fees and Charges for the City of Abilene, Texas is amended as set out in Exhibit "A", attached and made a part of this ordinance for all purposes.

PART 2: That all ordinance and parts of ordinance, resolutions, and parts of resolutions in conflict herewith are repealed.

PART 3: That this Schedule of Fees and Charges for the City of Abilene, Texas shall be kept on file in the City Secretary's office.

PASSED ON FIRST READING on the 9th day of October, A.D. 2025.

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 an 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
23rd day of October, A.D. 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

CityLink Fares (FY26 and FY27)

		Fare Effective 11/3/2025	Fare Effective 10/1/2026	
FIXED ROUTE	<u>Passes</u>			
	Adult Monthly	\$ 53.00	\$ 61.00	
	Elderly/Disabled Monthly	\$ 23.50	\$ 27.00	
	Youth monthly	\$ 29.50	\$ 34.00	
	Adult Weekly	N/A	N/A	
	Youth Weekly	N/A	N/A	
	Elderly/Disabled Weekly	N/A	N/A	
	Day Pass	\$ 3.75	\$ 4.50	
	<u>One way Fares</u>			
	Adult	\$ 1.75	\$ 2.00	
	Youth	\$ 1.25	\$ 1.50	
	Elderly/Disabled	\$ 0.75	\$ 0.85	
	Transfers	N/A	N/A	
PARATRANSIT (ADA)	<u>Ticket Books</u>			
	BA1 (10 rides)	\$ 25.00	\$ 30.00	
	BA2 (20 rides)	\$ 75.00	\$ 90.00	
	per-trip			
	BA1	\$ 2.50	\$ 3.00	
	BA2	\$ 3.75	\$ 4.50	
	DIB	N/A	N/A	
	No-Show Fee			
SENIOR CENTER RIDES	Attendant Fee	\$ -	\$ -	
	Per Trip	\$ 1.50	\$ 1.50	
MICROTRANSIT/ON- DEMAND	Any combination of Fixed			any combination of Fixed Route payment methods
	Route pricing	\$ 4.00	\$ 5.00	
	No-Show Fee	\$ 2.50	\$ 5.00	
EVENING SERVICE	one way			
	work/school	\$ 3.25	\$ 4.00	
	general	\$ 7.00	\$ 8.00	
	no-show flat fee	\$ 6.50	\$ 8.00	

Proposed CityLink Fares Increases (FY26 and FY27)

		Current Fares	Total Fare Increase	Increase revenue	Fare Effective 11/3/2025	Fare Effective 10/1/2026
FIXED ROUTE	<u>Passes</u>					
	Adult Monthly	\$ 45.00	\$ 61.00	\$ 16.00	\$ 53.00	\$ 61.00
	Elderly/Disabled Monthly	\$ 20.00	\$ 27.00	\$ 7.00	\$ 23.50	\$ 27.00
	Youth monthly	\$ 25.00	\$ 34.00	\$ 9.00	\$ 29.50	\$ 34.00
	Adult Weekly	\$ 15.00	eliminate		N/A	N/A
	Youth Weekly	\$ 10.00	eliminate		N/A	N/A
	Elderly/Disabled Weekly	\$ 8.00	eliminate		N/A	N/A
	Day Pass	\$ 3.00	\$ 4.50	\$ 1.50	\$ 3.75	\$ 4.50
	<u>One way Fares</u>					
	Adult	\$ 1.50	\$ 2.00	\$ 0.50	\$ 1.75	\$ 2.00
	Youth	\$ 1.00	\$ 1.50	\$ 0.50	\$ 1.25	\$ 1.50
	Elderly/Disabled	\$ 0.65	\$ 0.85	\$ 0.20	\$ 0.75	\$ 0.85
	Transfers	free	eliminate		N/A	N/A
PARATRANSIT (ADA)	<u>Ticket Books</u>					
	BA1 (10 rides)	\$ 20.00	\$ 30.00	\$ 10.00	\$ 25.00	\$ 30.00
	BA2 (20 rides)	\$ 60.00	\$ 90.00	\$ 30.00	\$ 75.00	\$ 90.00
			change to \$ 45.00			
	per-trip					
	BA1	\$ 2.00	\$ 3.00	\$ 1.00	\$ 2.50	\$ 3.00
	BA2	\$ 3.00	\$ 4.50	\$ 1.50	\$ 3.75	\$ 4.50
	DIB		eliminate		N/A	N/A
	No-Show Fee					
SENIOR CENTER RIDES	Attendant Fee	\$ -		\$ -	\$ -	\$ -
	Per Trip	Free	\$ 1.50	\$ 1.50	\$ 1.50	\$ 1.50
MICROTRANSIT/ON- DEMAND	any combination of FXRT payment methods		\$ 5.00	\$ 5.00	\$ 2.50	\$ 5.00
	No-Show Fee	N/A	\$ 5.00	\$ 5.00	\$ 2.50	\$ 2.50
EVENING SERVICE	one way					
	work/school	\$ 2.50	\$ 4.00	\$ 1.50	\$ 3.25	\$ 4.00
	general	\$ 6.00	\$ 8.00	\$ 2.00	\$ 7.00	\$ 8.00
	no-show flat fee	\$ 5.00	\$ 8.00	\$ 3.00	\$ 6.50	\$ 8.00

***** ALL PASSES PURCHASED PRIOR TO NOVEMBER 3, 2025 WILL BE VALID UNTIL
SEPTEMBER 30, 2026.

TITLE VI FARE CHANGE EQUITY ANALYSIS

INTRODUCTION

CityLink Transit has proposed a fare change for public comment and consideration by the City of Abilene City Council. This report provides an evaluation of the proposed fare change based upon the FTA (Federal Transit Administration) Title VI Requirements to Evaluate Service and Fare Changes.

Policy

It is policy of CityLink Transit to conduct a fare equity analysis during the planning phase of the potential fare change to determine whether the proposed fare change would have disparate impact on minority populations and /or disproportionate burden on low-income populations.

CityLink Transit defines these impacts as follows:

A disparate impact occurs when the minority percentage of the population adversely affected by any fare change is greater than 8% of the population of CityLink Transit Service area.

A disproportionate impact occurs when the low-income percentage of the population adversely affected by any fare is greater than 8% of the population of the CityLink Transit Service area.

If any disparate impact and/or disproportionate burden is found, CityLink Transit will consider steps to avoid, minimize, or migrate the adverse impacts and reanalyze the modified changes to determine if the impacts are removed or lessened.

FARE CHANGE PROPOSAL AND FARE USGAE

For the purposes of Title VI compliance under FTA Circular 4702.18, only fixed route fares are considered for the disparate impact and disproportionate burden guidelines. Complementary ADA Paratransit fares are guided under a different circular: however, ADA fares were added into the proposal.

CityLink Transit conducted a ridership survey in August 31-September 13, 2025, and the data was utilized from the survey for this equity analysis of fare equities. The survey garnered 172 results during a period of two weeks. The results of the survey as it relates to Title VI and this fare equity analysis are listed below.

Table 1:

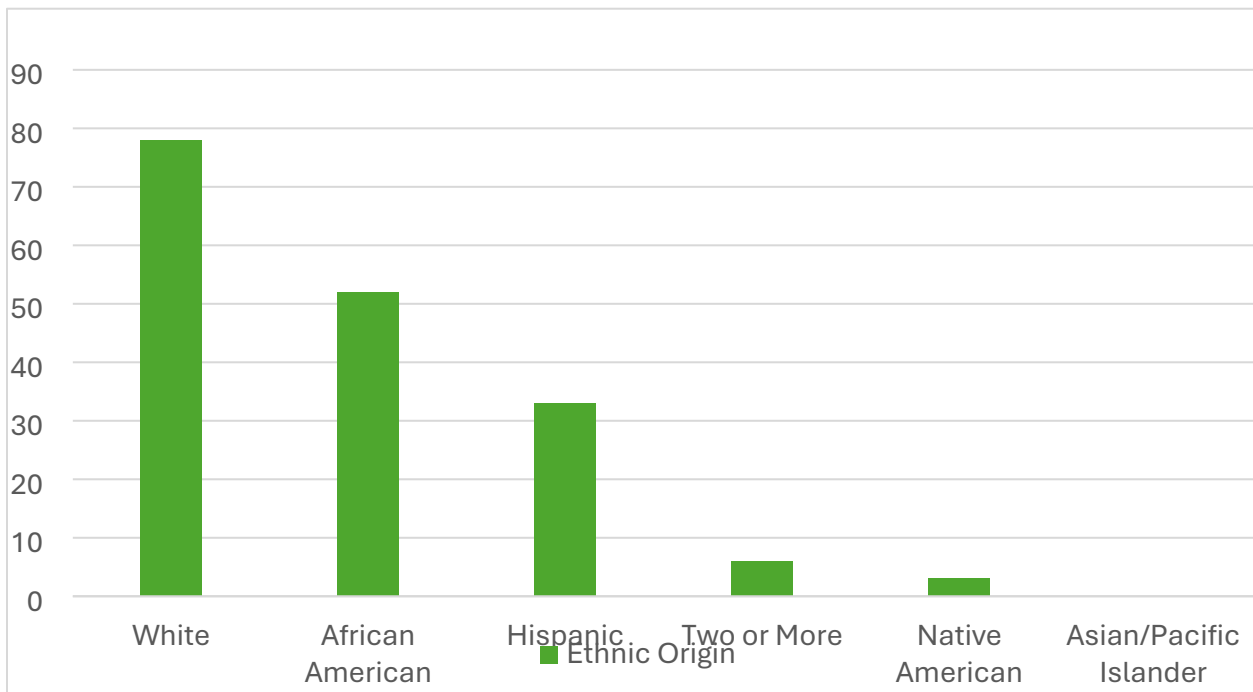
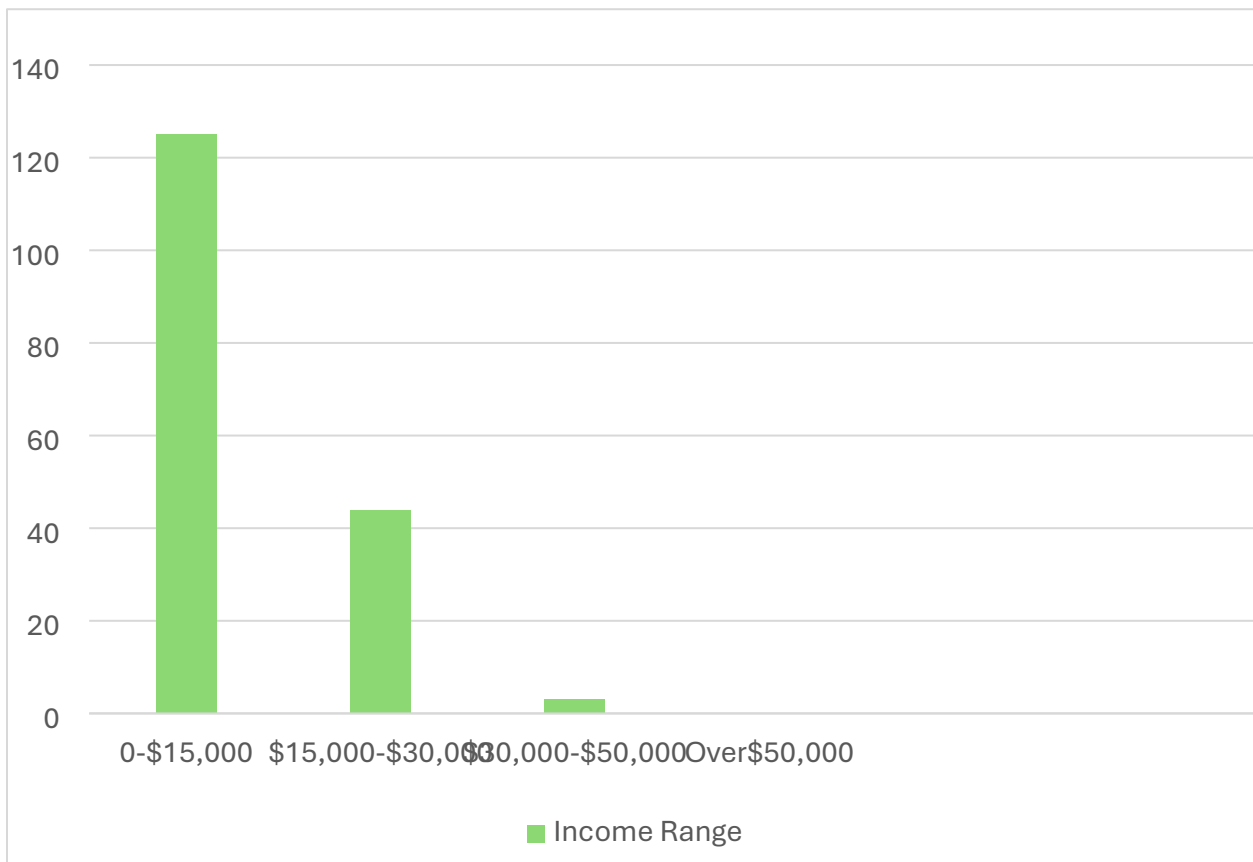


Table 2:



In the survey that was conducted, CityLink Transit also asked the riders of CityLink Transit their openness/acceptance of a different fare increase. The results are listed in the table below with the most acceptable fare increase of the basic fare to \$1.75.

Table 3:



The tables above indicate that 45.34% of CityLink Transit ridership is considered low income and 30.2% of the ridership would be minority riders. It also shows that overwhelmingly the ridership as a whole would support the \$1.75 increase in the general fare.

To conduct the fare equality analysis CityLink Transit utilized data from the ridership survey and from data gathered electronically from the farebox on the buses and cash receipts for fare media purchased at CityLink offices. The data was collected over the course of the year April 2024 through April 2025. Even though ADA fares are not required to be part of the fare equity analysis, CityLink Transit included ADA data in the analysis. The reasoning for the inclusion is CityLink is proposing a complete system increase in fares that would cover all system modes of CityLink Transit, Fixed Route, Complementary ADA Paratransit and Evening Service.

The tables below show the current and media type, the total proposed fares over FY26 and FY27.

Table 3:

		Current Fares	Total Fare Increase
FIXED ROUTE	<u>Passes</u>		
		\$45.0	
	Adult Monthly	0	\$61.00
		\$20.0	
	Elderly/Disabled Monthly	0	\$27.00
		\$25.0	
	Youth monthly	0	\$34.00
		\$15.0	
	Adult Weekly	0	eliminate
		\$10.0	
	Youth Weekly	0	eliminate
	Elderly/Disabled Wweekly	\$8.00	eliminate
	Day Pass	\$3.00	\$4.50
	<u>One way Fares</u>		
	Adult	\$1.50	\$2.00
	Youth	\$1.00	\$1.50
	Elderly/Disabled	\$0.65	\$0.85
	Transfers	free	eliminate
PARATRANSIT	<u>Ticket Books</u>		
		\$20.0	
	(ADA) BA1 (10 rides)	0	\$30.00
		\$60.0	
	BA2 (20 rides)	0	\$90.00

			change to (10 rides)	\$45.00
	per-trip			
	BA1	\$2.00		\$3.00
	BA2	\$3.00		\$4.50
	DIB			eliminate
	No-Show Fee			
	Attendant Fee	\$-		
SENIOR CENTER RIDES	Per Trip	Free		\$1.50
MICROTRANSIT/ ON-DEMAND	any combination of FXRT payment methods			\$5.00
	No-Show Fee	N/A		\$5.00
EVENING SERVICE	one way			
	work/school	\$2.50		\$4.00
	general	\$6.00		\$8.00
	no-show flat fee	\$5.00		\$8.00

Analysis of the percentage of users of the various fares and media type does not indicate any disparate impact or disproportionate burden found. CityLink Transit requested technical assistance from FTA in verification of the methodology and data collection utilized. The review showed the methodology to be valid, and the data collection correct. Although unique, it is possible for the percentage of users to remain virtually the same across all modes of a transit system. This type of occurrence is typically found in those systems where ridership is overwhelmingly transit dependent on low-income riders.

Outreach Plan

CityLink Transit will launch an outreach plan and public comment period September 2025 to educate riders and public about potential fare changes prior to submitting to City Council in October 2025. CityLink Transit will collect feedback from both the riders and the public about the possible fare changes as well as general stakeholders and community groups.

Activities During Public Comment Period.

Articulating the proposed fare change could affect all riders, not just the traditionally represented populations.

Conduct 2 public hearings.

Directly inform and engage existing CityLink Transit passengers through various outlets and media.

Comply with and go beyond FTA Title VI intents related to engagement.

A public outreach report compiling prior to the results of the public comments will be completed prior to the submittal of the proposed fare changes to the city council for review.

RESOLUTION NO. 123-2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE INCREASED FARES TO ALL CATEGORIES OF TRANSIT
SERVICE PROVIDED BY CITYLINK**

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

WHEREAS, the City receives grant funding through Federal Transportation Administration (FTA), as authorized by the Congress of the United States of America and Texas Department of Transportation (TXDOT) operating costs; and

WHEREAS, the City also supports CityLink's operating costs through a General Fund subsidy; and

WHEREAS, the last fare increase was October 1, 2007; and

WHEREAS, to reduce the increasing impact to the General Fund a fare increase of all transit categories was considered; and

WHEREAS, the city submitted the proposed fares for FTA review and conducted two public hearings; and

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

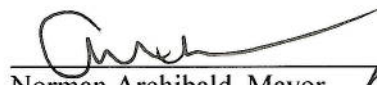
Part 1. That CityLink is authorized to charge the new fares as shown in Attachment A.

Part 2. That this Resolution takes effect October 1, 2016.

ADOPTED this 22nd day of September 2016.

ATTEST:


Danette Dunlap, City Secretary


Norman Archibald, Mayor

Anthony Williams
Mayor Pro-Tem

APPROVED:


Stanley Smith, City Attorney

ATTACHMENT A

To

RESOLUTION NO. 123-2016

FIXED SCHEDULE BUS ROUTE FARES

<u>Media</u>	<u>Approved Fares</u>
Adult Fare	\$ 1.50
Youth Fare	\$ 1.00
Day Pass	\$ 3.00
7 Day Pass	\$15.00
31 Day Pass	\$45.00
7 Day Youth Pass	\$10.00
31 Day Youth Pass	\$25.00

<u>Discounted Fares</u>	
Elderly/Disabled	\$.65
7 Day Elderly/Disabled Pass	\$ 8.00
31 Day Elderly/Disabled Pass	\$20.00

ADA PARATRANSIT FARE STRUCTURE

<u>Media Type</u>	<u>Approved Fares</u>
Regular Service Area Fare	\$ 2.00
Extended Service Area Fare	\$ 3.00
10 Ride Book Regular Service Area	\$20.00
10 Ride Book Extended Service Area	\$30.00
20 Ride Book Extended Service Area	\$60.00

<u>Demand Response/Evening Service</u>	
CDBG Work Fare	\$ 2.50
Evening Service General Fare	\$ 6.00
10 Ride CDBG Book	\$25.00
10 Ride General Fare Book	\$60.00

City Council Meeting





CityLink Fares Increases

- CityLink's fares were last increased (Resolution 123-2016) effective October 1, 2016.
- Since that time, the increased cost of operating CityLink has been absorbed by operating grants from TXDOT and the Federal Transit Administration.
- During the very high inflationary periods of 2020-2023, CityLink used COVID-related federal grants to help offset those inflationary pressures and delay the need to increase fares.



- Additionally, City Council approved an additional \$743,125.00 from the General Fund for FY26 to help fund increased personnel costs to help with staff recruiting and retainage.
- The Department of Transportation Services and CityLink recognize that fare increases may impose an additional financial burden on many of its users, but increased user fees are now unavoidable and will be combined with the increased City budgeted funds to meet the higher operating costs.
- Fares are proposed to increase November 3, 2025, and October 1, 2026. The fares are detailed as a file in the packet.



Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Annette Lerma, Director

ITEM: 22. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Amend the Fee Schedule Ordinance to Increase the Permit Fee For Certain Food Establishment Permits (Annette Lerma)

GENERAL INFORMATION

SB1008 states in part that locals cannot exceed the state fee for any food establishment permit. It also mandates that locals cannot charge any fee that the state does not have in their fee schedule. See the presentation for details on what permits must be removed and lowered to match the state's fee. Most of our fees are significantly lower than the state's fees and some jurisdictions around the state have increased all of their fees to match the state. In consideration for local businesses, we recommend only raising our fees by ten percent. This is in anticipation of the impact HB2844 will have on our ability to collect revenue for all mobile food units (MFU) that vend within the City of Abilene. HB2844, although it states it is effective September 1, 2025, the part that will impact us will go into effect July 1, 2026. At that time, the state becomes the only authorized permitter and regulator of all MFUs in Texas. The intent of the law is to provide a consistent set of regulations for vendors that often travel to multiple jurisdictions and eliminate confusion and cost. While the intent is great, the impact to public health may be detrimental in practice. The state was given no additional revenue to hire inspectors and administrative staff to regulate all MFU operating in the state of Texas. They have expressed their desire to contract with locals to continue the inspection portion, but made it clear that locals will have no authority to permit or shut a MFU down for non-compliance with Texas Food Establishment Rules. The state must do all regulatory activities.

FUNDING/FISCAL IMPACT

We do not yet know what revenue we may be able to earn if we choose to contract with the state to do inspections, but knowing they did not receive any additional funding to implement this mandate, we anticipate it will not replace our lost revenue. See attachment for different scenarios considered and the funding impact for each.

STAFF AND/OR BOARD RECOMMENDATION

Approval

ATTACHMENTS:

1. 2025 Fee Ordinance Amendment - environmental health fees
2. Exhibit A Fee Ordinance Food Establishments
3. EH Fee Schedule Scenarios_10.2.25
4. City Council Presentation_Food Establishment Fee Changes_Oct 2025

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 63-2025 AND AMENDING FEES AND CHARGES FOR ENVIRONMENTAL HEALTH FOOD ESTABLISHMENT PERMIT, FOR THE CITY OF ABILENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES, RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

WHEREAS, the City Council adopted Ordinance 63-2025 ("Fee Ordinance") on August 14, 2025 setting fees and charges commencing on October 1, 2025; and,

WHEREAS, it was contemplated that this Fee Ordinance would require amendment from time to time to modify and update fees and charges; and,

WHEREAS, the City of Abilene desires to amend health food establishment fees and discontinue fees that are no longer authorized; now, therefore,

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

PART 1: That the Schedule of Fees and Charges for the City of Abilene, Texas is amended as set out in Exhibit "A", attached and made a part of this ordinance for all purposes.

PART 2: That all ordinance and parts of ordinance, resolutions, and parts of resolutions in conflict herewith are repealed.

PART 3: That this Schedule of Fees and Charges for the City of Abilene, Texas shall be kept on file in the City Secretary's office.

PASSED ON FIRST READING on the 9th day of October, A.D. 2025.

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 an 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
23rd day of October, A.D. 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

Temporary food permit and/or inspection	\$52.00/event \$75.00
Food permits 4 times a year	\$385.00 \$350.00
Food permits 3 times a year	\$302.00 \$275.00
Food permits 2 times a year (and multi-seasonal)	\$220.00 \$200.00
Food permit 1 time a year	\$100.00 \$75.00
Food permit 1 time a year (temporary, non-profit, ball parks)	\$75.00
Food permit 1 time a year (seasonal) – snow cone 9-month option	\$100.00
Re-inspection fee for food establishment permit	\$75.00
Biannual school inspection fee Step-increase of \$50 for subsequent re-inspections	\$82.00
Late permit fee assessed January 15th, if paid January 16-January 31 (in addition to permit fee)	\$100.00 \$50.00
Late permit fee, if paid after January 31 – (in addition to permit fee)	\$100.00
Mobile food truck/trailer permit	\$200.00
Late temporary food permit (express processing)	\$50.00
Catering add-on to annual permit (waives requirement to submit Temp Event App/Fee for each occurrence)	\$200.00
Express permit inspection (less than 48 hours notice)	\$50.00

Fee Schedule Notes and Scenarios

The estimated **revenue loss** due to SB 1008 and HB 2844 is **\$34,500** annually due to no longer permitting mobile food units, daycare kitchens, or non-profits organizations, decreasing the fee for temporary event food vendors, and removal of plan review fees and the catering permit add-on.

Note: The following scenarios only account for food establishment revenue. Revenue from pool/spa permits is not included. Current revenue from mobile food units, daycare kitchens, non-profits, plan review fees, and catering permits are not included either.

For reference, the **current fee** schedule numbers are as follows:

4 Timers- $\$350 \times 191 = \$66,850$

3 Timers- $\$275 \times 142 = \$39,050$

ISD Schools- $\$75 \times 34 = \$2,550$

For Profit Schools- $\$75 \times 4 = \300

2 Timers- $\$200 \times 277 = \$55,400$

1 Timers - $\$100$ or $\$75$ (depending on type) $\times 36 = \$2,850$

Temporary Event Permits - $\$75 \times 100$ (estimate) = $\$7,500$

TOTAL \$174,500

Scenario #1 – Match the State fee schedule

4 Timers- $\$773 \times 191 = \$147,643$

3 Timers- $\$515 \times 142 = \$73,130$

ISD Schools- $\$300 \times 34 = \$10,200$

For Profit Schools- $\$258 \times 4 = \$1,032$

2 Timers- $\$258 \times 277 = \$71,466$

1 Timers- $\$100 \times 36 = \$3,600^*$

Temporary Event Permits - $\$52 \times 100$ (estimate) = $\$5,200$

TOTAL \$312,271 (an increase in revenue of \$137,771)

Scenario #2 – Match the State fee schedule except in the case of schools, which would continue to be charged \$75 annually, whether for profit or ISD

4 Timers- $\$773 \times 191 = \$147,643$

3 Timers- $\$515 \times 142 = \$73,130$

ISD Schools- $\$75 \times 34 = \$2,550$

For Profit Schools- $\$75 \times 4 = \300

2 Timers- $\$258 \times 277 = \$71,466$

1 Timers- $\$100 \times 36 = \$3,600^*$

Temporary Event Permits - $\$52 \times 100$ (estimate) = $\$5,200$

TOTAL \$303,889 (an increase in revenue of \$129,389)

Scenario #3 – Increasing fees by 10% where allowed

4 Timers- $\$385 \times 191 = \$73,535$

3 Timers- $\$302 \times 142 = \$42,884$

ISD Schools- $\$82 \times 34 = \$2,788$

For Profit Schools- $\$82 \times 4 = \328

2 Timers- $\$220 \times 277 = \$60,940$

1 Timers- $\$100 \times 36 = \$3,600^*$

Temporary Event Permits- $\$52 \times 100$ (estimate) = $\$5,200$

TOTAL \$189,275 (an increase in revenue of \$14,775)

Scenario #4 – Increasing fees by 25% where allowed

***This option fully recoups the revenue lost due to SB 1008 and HB 2844.**

4 Timers- $\$438 \times 191 = \$83,658$

3 Timers- $\$344 \times 142 = \$48,848$

ISD Schools- $\$94 \times 34 = \$3,196$

For Profit Schools- $\$94 \times 4 = \376

2 Timers- $\$250 \times 277 = \$69,250$

1 Timers- $\$100 \times 36 = \$3,600^*$

Temporary Event Permits- $\$52 \times 100$ (estimate) = $\$5,200$

TOTAL \$214,128 (an increase in revenue of \$39,628)

Proposed Food Establishment Fee Schedule Changes

October 9, 2025





89th Legislative Session

Senate Bill 1008

- Effective date September 1, 2025
- Limits local food establishment permit requirements
- Limits local food establishment fees
- Requires a copy of the fee schedule to be included in the DSHS registry
- Requires stakeholder notice for fee schedule, permit, or inspection protocol revision via email to stakeholders at least 60 days prior to revision effectiveness

House Bill 2844

- DSHS to act as permitting authority for mobile food units as of July 1, 2026, after which time local revenue from permitting fees will end
- Full financial impact unknown. Will depend on whether City of Abilene enters into a collaborative agreement with DSHS and what reimbursement rates will be





S.B. 1008 Impact on Environmental Health

- Senate Bill 1008 impact on Environmental Health revenue
 - May no longer permit daycare kitchens or non-profit organizations
 - Restrictions on late fees and reinspection fees
 - Step-increases removed
 - Annual fees may not exceed what DSHS would charge biennially, including any processing fees or added costs
 - Express processing fee for temporary event vendors removed
 - Plan review fee removed
 - Preliminary inspection fee removed
 - Catering Permit add-on removed
 - Temporary permit fee decreased to \$52/event





Current Fee Schedule for Food Establishments

- Food permit 4 times a year - \$350
- Food permit 3 times a year - \$275
- Food permit 2 times a year - \$200
- Food permit 1 time a year - \$75
- Food permit 1 time a year (temporary, non-profit, ball parks) - \$75
- Food permit 1 time a year (seasonal, snow cone 9-month) - \$100
- Re-inspection fee - \$75 with step-increases of \$50 for sub. reinspections
- Late fee, Jan 15th - \$50
- Late fee, Jan 31st - \$100
- Plan review fee - \$100
- Preliminary inspection fee - \$50
- Catering permit add-on - \$200
- Temporary food permit and/or inspection - \$75
- Temporary permit express processing - \$50

*Please note that Swimming Pool/Spa fees and Mobile Food Unit fees are not included in this presentation as no changes are proposed at this time for those fees.





Proposed Fee Schedule for Food Establishments

- Proposed 10% increase on applicable food establishment permit fees to mitigate, in part, loss of revenue due to Senate Bill 1008
- Proposed fee schedule:
 - Food permit 4 times a year - \$385
 - Food permit 3 times a year - \$302
 - Food permit 2 times a year - \$220
 - Food permit 1 time a year - \$100
 - Simplifying the 1-timer permit to single category
 - Temporary event permit - \$52/event
 - Biannual school inspection fee - \$82
 - Schools currently charged as non-profits
 - Schools required to have 2 inspections yearly
 - Permit no longer to be issued
 - Applies to both ISDs and for-profit schools
 - Late permit fee assessed January 15th - \$100
 - Reinspection fee - \$75





Revenue Impact

- Estimated total loss in revenue: -\$34,500
- Estimated total increase with recommended 10% increase: +\$14,775

Options considered:

- Match state fee (which SB1008 allows locals to do): estimated total increase in revenue would be +\$137,771
- 25% increase would essentially break even: +\$39,628

Considerations:

- Wanted to be sensitive to local business
- Still unknown what state contracted fee will be for Mobile Food Inspections
- Fees collected for FY 25 permits but not FY 26





Current Recommendation

- Increase food establishment fees by 10%
- Register fees with DSHS registry as required by statute
- Notify local food establishments 60 days prior to implementation as required by statute
- Contract with DSHS to conduct Mobile Food Unit inspections at their request
- Evaluate impact once state rules are implemented July 1, 2026
- Adjust fees as needed to further offset costs in FY 27

*Since HB2844 (state becomes only authorized regulator for MFU) does not go into effect until July 1, 2026, we are operating at status quo regarding MFUs until that date





Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Emily Crawford, City Manager
FROM: Stanley Smith, City Attorney
ITEM: **23. Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, Motor Vehicles and Traffic, Article I, In General, Section 18-11, Use of Golf Carts on Public Streets. *(Stanley Smith)*

GENERAL INFORMATION

Pioneer Drive Baptist Church is renovating its campus to include the demolition of its current sanctuary. During the construction, access to many of the facilities at Pioneer Drive Baptist Church will be blocked or otherwise impassable, and the use of golf carts to transport members and guests of the church around its campus and to and from the parking lots would be beneficial.

The City of Abilene seeks to accommodate and assist Pioneer Drive Baptist Church.

Texas Transportation Code, section 551.404 grants a municipality the authority to allow an operator to operate a golf cart on all or part of a highway.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends approval of the amendment to the Ordinance to allow the use of golf carts by Pioneer Drive Baptist Church during its campus renovations.

ATTACHMENTS:

1. 2025 Enacting Ordinance Golf Carts PDBC
2. Exhibit A - Golf Carts PDBC
3. PDBC streets
4. Golf Carts PDBC

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 18, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE I, “IN GENERAL,” SECTION 18-11, “USE OF GOLF CARTS ON PUBLIC STREETS,” OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY

WHEREAS, Pioneer Drive Baptist Church is renovating its campus to include the demolition of its current sanctuary; and

WHEREAS, during the construction, access to many of the facilities at Pioneer Drive Baptist Church will be blocked or otherwise impassable, and the use of golf carts to transport members and guest of the church around its campus and to and from the parking lots would be beneficial; and

WHEREAS, the City of Abilene seeks to accommodate and assist Pioneer Drive Baptist Church; and

WHEREAS, the Texas Transportation Code, section 551.404 grants a municipality the authority to allow an operator to operate a golf cart on all or part of a highway.

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

PART 1: That Chapter 18, “Motor Vehicles And Traffic,” Article I, “In General,” Sections 18-11, “Use Of Golf Carts On Public Streets,” of the Abilene Municipal Code be amended as set out in Exhibit “A”, attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

PART 3: That any persons, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine in accordance with Chapter 1 (Section 1-9) of this Code. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

APPROVED ON FIRST READING the 9th day of October, 2025.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on 19th day of October, 2025, the same

being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 23rd day of October, 2025, to permit the public to be heard.

APPROVED AND PASSED ON FINAL READING this 23rd day of October, 2025.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

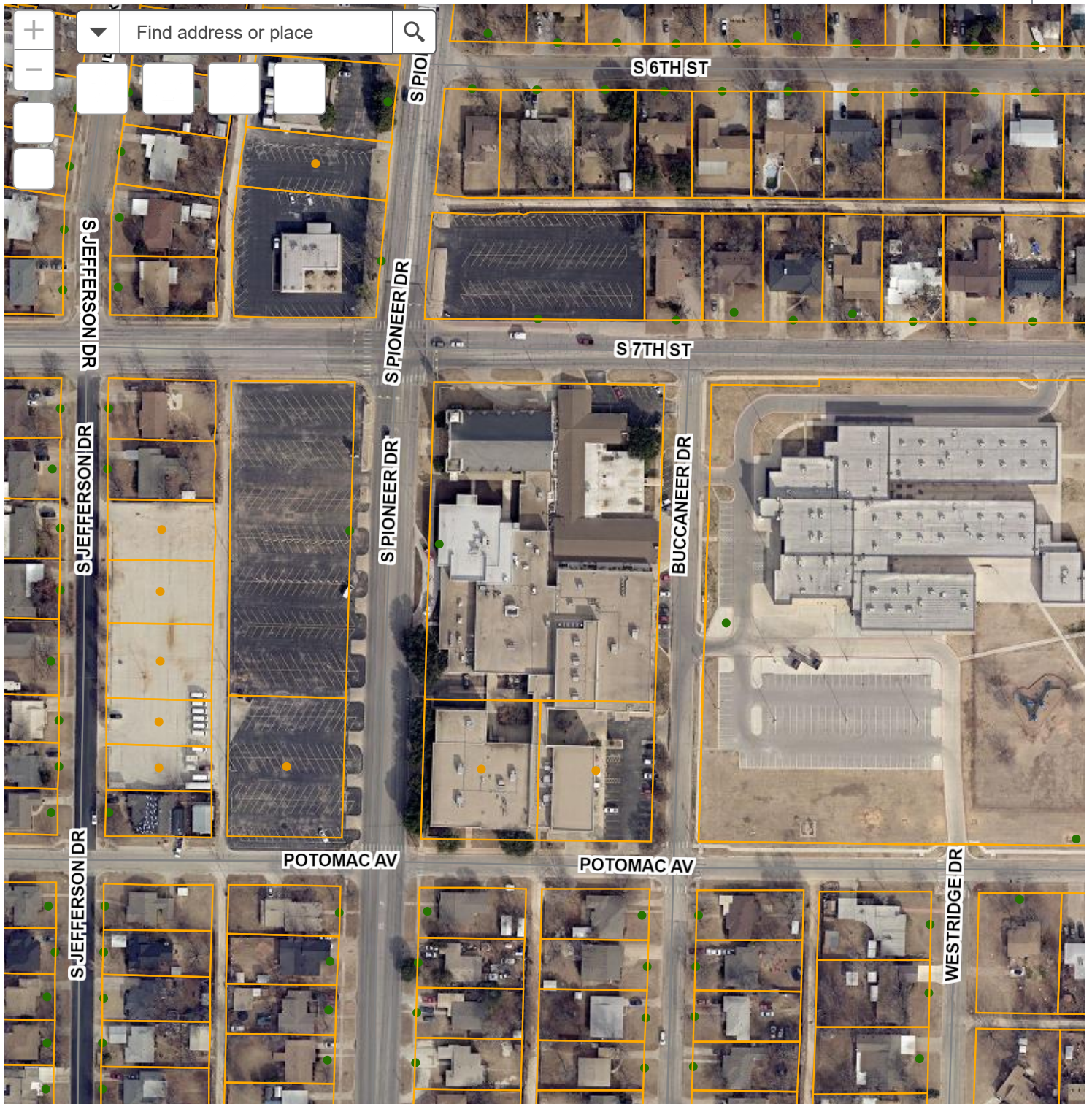
Sec. 18-11. - Use of golf carts on public streets.

(a) Annually, from November 1 until December 31, parcel delivery services, including but not limited to United Parcel Service of America, Inc., and FedEx Corp., may operate a golf cart on a portion of a public street within the City of Abilene that is:

- (1) Within two (2) miles of a golf course;
- (2) Has a speed limit of not more than thirty-five (35) miles per hour;
- (3) Provides for no more than two (2) lanes of vehicular traffic per direction; and
- (4) Is not designated as part of the state or federal highway system.

(b) A golf cart operated pursuant to ~~section (a)~~~~this article~~ must have headlamps, tail lamps, reflectors, a parking brake, and mirrors. Any employee of a parcel delivery service that operates a golf cart pursuant to this section must possess a valid state license to operate a motor vehicle.

(c) On Sundays and Wednesdays, an operator may operate a golf cart on a portion of a public street in the City of Abilene that is immediately adjacent to Pioneer Drive Baptist Church, the same being portions of Pioneer Drive, South 7th Street, Potomac Avenue, and Buccaneer Drive. A golf cart operated must have headlamps, taillamps, reflectors, parking brake, and mirrors. Any operator of a golf cart pursuant to this section must possess a valid state license to operate a motor vehicle.



200ft

loading...

**AMENDING CHAPTER 18, “MOTOR
VEHICLES AND TRAFFIC,” ARTICLE I,
“IN GENERAL,” SECTION 18-11, “USE
OF GOLF CARTS ON PUBLIC STREETS”**







Questions?





**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Honorable Mayor & Members of City Council
FROM: Stanley Smith, City Attorney

ITEM: 24. 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. 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
13. Bouldin Pat Crofton v. City of Abilene, Board of Building Standards; Cause No. 52175-A, In the 42nd

Judicial Court, Taylor County, Texas; filed May 9, 2025

14. Tracey Freeman v. City of Abilene, Case No. 13596-D; In the District Court of Taylor County, 350th Judicial District, filed on July 8, 2025

15. Bronson Joseph Serasio v. C Davis, City of Abilene Police Department; Case No. 25SC-11643J11; In The Small Claims Court, Precinct 1, Place 1, Taylor County, Texas, filed July 21, 2025

16. Victor Lynn Lee v. Erin Stamey, et al., Case No. 5:25-cv-00590-XR; In the United States District Court, Western District of Texas, San Antonio Division; filed May 28, 2025

17. Brennon and Brittany Manske, et al. v. City of Abilene, et al.; Case No. 1:25-cv-00172-H, In the United States District Court, Northern District of Texas, Abilene Division, filed September 5, 2025

18. Eddie Pugh v. Rise Church of Abilene, Inc., et al.; Cause No. 52301-A, In the District Court of Taylor County, Texas, 42nd Judicial District; filed September 11, 2025

19. Kevin Young v. Matthew Clopton; Case No. 1:24-CV-00113-H, In the United States District Court, Northern District of Texas, Abilene Division, filed July 16, 2024

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
3. Discussion Regarding Applicants for Municipal Court Judge Position

E. 551.076 (Deliberations about Security Devices)

F.551.087 (Business Prospect/Economic Development)

1. Project Surf
2. Project Rainy Creek

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

ATTACHMENTS:

None

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:



**CITY COUNCIL
MEMORANDUM
10/23/2025**

TO: Honorable Mayor & Members of City Council
FROM: Shawna Atkinson, City Secretary
ITEM: 25.

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)*

- Abilene Housing Authority
- Board of Adjustment
- Board of Building Standards
- Library Advisory Board
- Neighborhood Services Advisory Board
- Planning & Zoning Commission

GENERAL INFORMATION

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

FUNDING/FISCAL IMPACT

No cost consideration to the city.

STAFF AND/OR BOARD RECOMMENDATION

(Re)Appointment

ATTACHMENTS:

1. B&C Resolution
2. Board Appointment Exhibit (1)
3. B&C Presentation Slide

BACKUP DOCUMENTATION UPDATED? No
UPDATED ON:

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 23rd day of October, 2025.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

RESOLUTION NO. _____
EXHIBIT "A"

Board	Term End Date
<i>Abilene Housing Authority</i>	
Vanessa Faz [Reappointment]	November 2027
<i>Board of Adjustment</i>	
John Havard [Regular] [New]	November 2027
Jon Loudermilk [Regular] [Reappointment]	November 2027
Melissa Sparks [Regular] [Reappointment]	November 2027
<i>Board of Building Standards</i>	
Jeremy McBrayer [Regular] [Reappointment]	November 2027
Mark Aldriedge [Alternate] [Reappointment]	November 2027
Will Duncan [Alternate] [New]	November 2026
Joe Don Murman [Alternate] [Reappointment]	November 2027
<i>Library Advisory Board</i>	
Terry Young [New]	November 2028
Judith Phaneuf [Reappointment]	November 2028
<i>Neighborhood Services Advisory Board</i>	
Kelly Barneche [New]	November 2027
David Wahl [Reappointment]	November 2027
Geoffrey Turner [Reappointment]	November 2027
Lauren Cantrell [Reappointment]	November 2027
Bill Enrriquez [Reappointment]	November 2027
<i>Planning and Zoning Commission</i>	
Brad Benham [Reappointment]	November 2028
Kristen Dressen Kyker [Reappointment]	November 2028
Tyson Strauser [New]	November 2028
Kevin Halliburton [Reappointment]	November 2028



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

- Abilene Housing Authority
 - Vanessa Faz [Reappointment]
- Board of Adjustment
 - John Havard [Regular] [New]
 - Jon Loudermilk [Regular] [Reappointment]
 - Melissa Sparks [Regular] [Reappointment]
- Board of Building Standards
 - Jeremy McBrayer [Regular] [Reappointment]
 - Mark Aldriedge [Alternate] [Reappointment]
 - Will Duncan [Alternate] [New]
 - Joe Don Murman [Alternate] [Reappointment]
- Library Advisory Board
 - Terry Young [New]
 - Judith Phaneuf [Reappointment]





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

- Neighborhood Services Advisory Board
 - Kelly Barneche [New] [ACU]
 - David Wahl [Reappointment] [McMurry]
 - Geoffrey Turner [Reappointment] [At-large]
 - Lauren Cantrell [Reappointment] [ACU]
 - Bill Enriquez [Reappointment] [CNA]
- Planning & Zoning Commission
 - Brad Benham [Reappointment]
 - Kristen Dressen Kyker [Reappointment]
 - Tyson Strauser [New]
 - Kevin Halliburton [Reappointment]

