City of Abilene
City Council Agenda

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

Anthony Williams, Mayor

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

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on April 23, 2020 at 4:30 p.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

1. **Executive Session** - City Council will convene into Executive Session at 4:30 p.m.
   Reconvene - City Council will reconvene into open session at 5:30 p.m.

INVOCATION

2. Councilmember Travis Craver

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

CONSENT AGENDA

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

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on April 9, 2020, and the Special Meeting Held on April 13, 2020 ***(Shawna Atkinson)***

4. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Four Police Packaged Motorcycles from Kent's Harley-Davidson through CB-2042 ***(Tim Cass)***

5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Finding that AEP Texas Inc.'s Application to Amend It's Distribution Rates Within the City Should Be Denied; Authorizing Participation With the Cities Served by AEP Texas; Authorizing Hiring of Legal Counsel; Finding That the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding that the Meeting At Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel ***(Mike Rains)***

6. **Ordinance (First Reading) Z-2020-06:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Eric Salazar to rezone property from an Agricultural Open Space (AO) to a Rural Residential (RR-1) District located in the 7100-7200 blocks (east side) of West Lake Road, approximately 1.5 miles north of F.M. 3034 in the Lake Fort Phantom Hill area of Abilene, Texas ***(Mike Warrix)***

7. **Ordinance (First Reading) Z-2020-07:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Vader Enterprises LLC, agent Sheldon Greene, to rezone property from a Heavy Industrial (HI) to a Heavy Commercial (HC) District at 4721 Hill Street in southern Abilene ***(Mike Warrix)***

8. **Ordinance (First Reading) Z-2020-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Prairie Song LLC, agent Nick Coates, to amend the terms of Planned Development (PD) District Number 144 by expanding its original 14.166 acres to include 0.5 acre of additional now-vacant land at 2660 Garfield Avenue, by changing allowed uses to include all those permissible within Residential Medium-Density (MD) zoning districts and by requiring all access to future development of this property to be from Garfield Avenue; Legal description being 12.004 acres out of T&P Railway Co. Section 84 (and located at least 140 feet north of Garfield Avenue) as well as Lots 4-5 in Block 10 and all of Block 11 in the Hillcrest Addition (on north side of 2600 block of Garfield Avenue) ***(Mike Warrix)***

9. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Section 3.2.13.6 (Exceptions, Waivers, and Deferrals) of the Land Development Code pertaining to appeals of construction of Sidewalks ***(Mike Warrix)***

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Operating Cost Relief for American Airlines, Avis/Budget, Hertz and Enterprise-Rent-A-Car. ***(Don Green)***

11. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid to Dowtech Specialty Contractors for the Northeast WTP Filter No. 5 Replacement ***(Rodney Taylor)***

12. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Temporarily Suspending the Street Maintenance Fee and Shrinking Tier Levels for Residential Water Customers (***Robert Hanna)***

13. **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)***

    - West Central Texas Municipal Water District Board

EXECUTIVE SESSION

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

A. 551.071 (Consultation with Attorney)

1. City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court,Taylor County, Texas; filed November 17, 2011
2. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
3. Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene, Cause No. D-1-GN-16-001160, filed March 16, 2016
4. Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
5. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
6. Officer Patrick Sumrall and City of Abilene, Case No. 01-18-000-8653; Appeal of Indefinite Suspension to Arbitration, filed February 6, 2018
7. Alfredo Valencia v. Corey Davis and City of Abilene; Case No. 1:19-cv-00017-C; In the United States District Court, Northern District of Texas, Abilene Division, filed February 4, 2019.
8. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
9. Ovation Services, LLC v. Blanca Cortez, et al.; Case No. 11875-D; In the 350th Judicial District Court, Taylor County, Texas; filed July 15, 2019
10. 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
11. The State of Texas v. The Unknown Heirs of B.E. Caffey, Senior, et al., Cause No. 6939, Condemnation Proceeding filed in the County Court at Law No. 2, Taylor County, Texas, filed August 20, 2019
12. City of Abilene, Texas and Garfield Public/Private LLC v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-000900, In the 261st Judicial District Court, Travis County, Texas, filed February 13, 2020
13. Chandler Brooks v. Taylor County, et al.; Civil Action No. 1:20-cv-00049, In the United States District Court, Northern District of Texas, Abilene Division; filed March 5, 2020
14. Sanctuary City for the Unborn
15. Moving General Election to non-uniform election date
16. Governor's Executive Order GA-16

B. 551.072 (Deliberations about Real Property)

1. Clyde Water

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

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

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Abilene Convention Center Hotel Project

RECONVENE

PUBLIC COMMENTS

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

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 April, 2020, at 4:15 p.m.

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Shawna Atkinson, City Secretary

NOTICE REGARDING PUBLIC PARTICIPATION

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or video conference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency.

In an effort to reduce the spread of the virus, the City Council meeting will be closed to in person attendance by the public, individuals will be able to address the Council via telephone conference call.

There are two phone numbers to call for this meeting:

1) To call in to a Listen Only version of the meeting, call 888-475-4499. The meeting ID is 977-315-06125
2) To call in to Speak on a public hearing on an agenda item please call 877-853-5257. The meeting ID is 513-873-0228. Please note, this line needs to be used only when the agenda item you wish to speak on is being presented.

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Public Comments portion of the meeting or when the item is considered by the City Council.

The agenda packet can be viewed online here: https://www.abilenetx.gov/714/Agendas-Minutes