



City of Abilene City Council Agenda

Shane Price, Mayor Pro-tem
Lynn Beard, Deputy Mayor Pro-tem
Jay Patterson, Council Member
Benjamin Bailey, 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 June 25, 2026, 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 Lynn Beard

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Recognition:**

- Communications Department TAMIO Awards

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 June 11, 2026 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding a Bid to Extreme Exteriors for the Development of an Arboretum and Picnic Area at Kirby Lake Park **(Lesli Andrews)**
5. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2637 Workzone Project S10B to Bontke Brothers Construction Co., Inc. **(Max Johnson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the Submission of a Subapplication to the Texas Water Development Board for Federal Emergency Management Agency FY2024 Flood Mitigation Assistance Grant Funding and Designating the City Manager as the Authorized Official **(Max Johnson)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the HWTP Microfiltration Backwash Piping Improvements Project **(Matthew Dane)**
8. **Ordinance (First Reading) CUP-2026-08:** Receive a Report, Hold a Discussion, and Take Action on a Request from The Owner, To Apply a Conditional Use Permit to Approximately 1.49 Acres Zoned General Commercial (GC) To Allow for Contractor Services. Located At 411 East South 11th Street. **(Tim Littlejohn)**
9. **Ordinance (First Reading) Z-2026-28:** Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.36 Acres from Residential Single-Family (RS-6) to General Commercial (GC) Zoning. Located at 1358, 1366, and 1374 Barrow Street. **(Tim Littlejohn)**
10. **Ordinance (First Reading) Z-2026-30:** 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-149). Specifically, to Allow Residential Medium Density (MD) and Patio Home (PH) Uses. Located at 3626 Vogel Avenue. **(Tim Littlejohn)**
11. **Ordinance (First Reading) Z-2026-32:** Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 25.0 Acres from Agricultural Open (AO) to Planned Development District (PDD-201). Located at 6926 Military Drive. **(Tim Littlejohn)**
12. **Ordinance (First Reading) Z-2026-33:** 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 Commercial (HC) to Residential Single-Family (RS-6) Zoning. Located at 801 N 13th Street and 1226 Mesquite Street. **(Tim Littlejohn)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

13. **Ordinance (Final Reading) Z-2026-29:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.48 Acres from Residential Medium Density (MD) to College University (CU) Zoning. Located at 1801 Lincoln Drive. **(Tim Littlejohn)**
14. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code **(Max Johnson)**

15. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Ordinance Authorizing the Issuance of City of Abilene, Texas, General Obligation Bonds, Series 2026 (AMT); Establishing Procedures and Delegating Authority for the Sale and Delivery of the Bonds; Providing an Effective Date; and Enacting Other Provisions Relating to the Subject (***Marjorie Knight***)
16. **Presentation:** Overview of the New SeeClickFix App (***Mari Cockerell***)

EXECUTIVE SESSION

17. **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. 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
5. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
6. PFAS Litigation
7. 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
8. 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
9. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District Court, Taylor County, Texas; filed March 1, 2024
10. 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
11. 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
12. 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
13. 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
14. 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
15. Ishmael Jaimes v. City of Abilene; Civil Action No. 1:25-cv-00249-H; In the United States District Court, Northern District of Texas, Abilene Division; filed November 13, 2025
16. Joseph Jarrell Turner v. H Haught, Case No. 1:25-CV-00201-BU; In the United States District Court, Northern District of Texas, Abilene Division; filed October 16, 2025
17. Foco Capital LLC v. City of Abilene, Texas; Cause No. 29,758-B, In the 104th Judicial District Court, Taylor County, Texas; filed on April 21, 2026
18. Samantha Henry a/k/a Samantha Kae Henry-Davis v. Chris Milliorn, et al.; Civil Action No. 1:25-cv-00003, In the United States District Court, Northern District of Texas, Abilene Division, filed January 6, 2025
19. Legal Update Regarding Cedar Ridge Reservoir and Ft. Stockton Groundwater Projects

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

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

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

RECONVENE

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 18th day of June, 2026, at 3:15 pm.

Shawna Atkinson, TRMC, CMC
City Secretary



**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Honorable Mayor & Members of the 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 June 11, 2026 (Shawna Atkinson)

GENERAL INFORMATION

Approval of the minutes from the Regular City Council meeting held on June 11, 2026

FUNDING/FISCAL IMPACT

None

STAFF AND/OR BOARD RECOMMENDATION

Approval of the Minutes

ATTACHMENTS:

1. 06-11-2026 Minutes - Regular - Morning

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

CITY COUNCIL MEETING
June 11, 2026 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 June 11, 2026, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Jay Patterson, Brian Yates, Miguel Espinoza and Travis Craver. Also present were Deputy City Manager Noel Bernal, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Mayor Weldon Hurt led the invocation and the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

- Employee Service Awards:
 - Joey Kincaid – 40 Years – Fire Department
 - Sheletra Hayes – 25 Years – City Attorney’s Office
 - Lindsey Hoxsey – 20 Years – Police Department

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-8. Item 5 was pulled for individual consideration.

Item(s) pulled for individual consideration:

- Item 5 – Mayor Hurt

PUBLIC COMMENTS

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

- Jack Hadlock
- Tammy Fogle
- Christi Jone
- Jayton Alvidrez
- Andrea Kelly
- Cynthia Alvidrez

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

Councilmember Patterson moved to approve the consent agenda, now consisting of items 3, 4 and 6-8. Councilmember Espinoza seconded the motion. Motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting Held on May 20, 2026 and the Regular Meeting Held on May 28, 2026

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Amending the FY26 Bulk Chemical Bid Awards to Approve Rebids for Alum
[ASSIGNED RESOLUTION NO. 106-2026]
6. Resolution: Receive a Report, Hold a Discussion and Take Action to Amend a ReBuild ABI Chapter 380 Agreement with Kris Gay Homes LLC for 1349 Peach Street to Extend the Expiration Date
[ASSIGNED RESOLUTION NO. 108-2026]
7. Ordinance (First Reading) Z-2026-29: 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 Residential Medium Density (MD) to College University (CU) Zoning. Located at 1801 Lincoln Drive
8. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion, and Take Action on a Resolution Authorizing the City Manager to Execute an Agreement to Provide Sanitary Sewer Service Outside the City Limits Between the City of Abilene and Elmdale Development, LLC.
[ASSIGNED RESOLUTION NO. 107-2026]

Mayor Hurt pulled this item as it required a public hearing.

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

REGULAR AGENDA

9. Ordinance (Final Reading) TC-2026-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from McMurry University to Abandon a Certain Portion of Right-of-way known as Ross Avenue from South 15th Street to Hunt Street and a portion of South 16th Street from Ross Avenue to 140 Feet West to an Alley Running North and South.
[ASSIGNED ORDINANCE NO. 50-2026]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would abandon a portion of right-of-way known as Ross Avenue from South 15th to Hunt Street and a portion of South 16th Street from Ross Avenue to 140 Feet West to an Alley Running North and South.

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

- Grant Greenwood – Representative of McMurry University
- Brandon Young – Architect for the project

The following spoke in opposition to the item:

- Tammy Fogle

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

10. Ordinance (Final Reading) Z-2026-23: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner to Change the Zoning of Approximately 99.38 Acres from Agricultural Open (AO) To a Planned Development District (PDD-199) to allow Residential Medium Density and Residential Single-family uses with amended standards. Located At 4489x Caldwell Road
[ASSIGNED ORDINANCE NO. 51-2026]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from Agricultural Open (AO) to a Planned Development District (PDD-199) to allow Residential Medium Density and Residential Single-Family with amended standards.

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

- Clayton Farrow – agent

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

Mayor Pro-tem Price moved to approve Tract 1 as recommended by the Planning and Zoning Commission, and Tract 2 as RR1. Councilmember Espinoza seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

11. Ordinance (Final Reading) Z-2026-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 1.21 Acres from Residential Single-Family (RS-12) to General Commercial (GC) Zoning. Located on the Southwest Corner of ES 11th St and Oldham Ln.
[ASSIGNED ORDINANCE NO. 52-2026]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from Residential Single-Family (RS-12) to General Commercial (GC) zoning.

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers
Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

12. Ordinance (Final Reading) Z-2026-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Owner, To Change the Zoning of Approximately 0.81 Acres from Residential Single Family (RS-6) to General Commercial (GC). Located at 1700, 1718, 1726, and 1742 Ambler Avenue. **[ASSIGNED ORDINANCE NO. 53-2026]**

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from Residential Single Family (RS-6) to General Commercial (GC).

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers
Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:29 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:

13.A.551.071 (Consultation with Attorney)

1. Steve Van Horne, et al v. City of Abilene, et al Cause #12530-D
2. Bouldin Pat Crofton v. City of Abilene, Board of Building Standards, Cause #29156-B
3. Items 16-28 – eminent domain proceedings

The Executive Session ended at 9:38 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA – END

14. 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. 109-2026]**

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>	
Helen Usera [New]	October 2027
<i>Neighborhood Services Advisory Board</i>	
Ricardo Gutierrez [New]	November 2027

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.028 Acres Out Of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, owned by Delbert Cordry, Instrument No. 2015-16128, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 110-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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 that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire 0.028 acres out of Block 3 of the Bowyers Subdivision, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Yates seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.103 Acres of Land Out Of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, owned by Charlie Albert Barry, Volum 1723, Page 846, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 111-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

- Tammy Fogle
- Diana Bradley

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

Councilmember Yates moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property being 15 feet wide and containing 0.103 acre of land out of Block 6, Bowyer Subdivision of the SW/4, SE/4 & NE/4 of Section 50, Blind Asylum Lands, Abstract No. 634, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Patterson seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Patterson, Yates and Espinoza

NAYS (0): None

ABSENT (1): Councilmember Craver

17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 112-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Patterson moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as 15 Feet Wide and Containing 0.112 Acre of Land Out Of Blocks 7 and 8, Bowyer Subdivision of Parts of the NE/4, SE/4 and SW/4 of Section 50, City of Abilene, Taylor County, Texas As Shown by Plat Recorded in Cabinet No. 4, Slide No. 327, Plat Records, Taylor County, Texas, for a public widening and drainage easement. Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

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

NAYS (0): None

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, owned by Terry Wolfer, et al., Instrument No. 2023-21150, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 113-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Deputy Mayor Pro-tem Beard moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.003 Acre Out Of the W. Berry Survey, A.K.A. the NE/4 Section 50, Blind Asylum Lands, Abstract No. 623, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas

[ASSIGNED RESOLUTION NO. 114-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Mayor Pro-tem Price moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.027 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement. Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

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

NAYS (0): None

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas

[ASSIGNED RESOLUTION NO. 115-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Craver moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.108 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record in Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement. Councilmember Espinoza seconded the motion; motion carried.

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

NAYS (0): None

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 116-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Espinoza moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.202 Acre Out Of Lot 1, Block A, Section 1, Parkview Addition, Out Of Section 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas Per Plat of Record In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, for a public widening and drainage easement. Councilmember Yates seconded the motion; motion carried.

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

NAYS (0): None

22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, owned by Valley Creek Homes, LLC, Instrument No. 2025-05315, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 117-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Yates moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.487 Acre of Land, Being Out Of Lot 4, Block 210, Original Town of Abilene Per Plat In Cabinet 4, Slide 254, Plat Records, Taylor County, Texas And Lot 1, Block A, Section 1, Parkview Addition Per Plat In Cabinet 2, Slide 318-B, Plat Records, Taylor County, Texas, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Patterson seconded the motion; motion carried.

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

NAYS (0): None

23. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Randall & Kelly Roberts, Instrument No. 2014-11393 and Instrument No. 2014-11392, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 118-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Patterson moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire described as Containing 0.012 Acres Out Of Lots 19 & 20, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

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

NAYS (0): None

24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, owned by Betty Walker, Volume 534, Page 317, Deed Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 119-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Deputy Mayor Pro-tem Beard moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 23, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

25. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Eli Carrillo, Instrument No. 2016-14902, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 120-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Mayor Pro-tem Price moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 24, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Craver seconded the motion; motion carried.

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

NAYS (0): None

26. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Mario Castaneda, Instrument No. 2012-16544, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 121-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Craver moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.006 Acres Out Of Lot 29, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Espinoza seconded the motion; motion carried.

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

NAYS (0): None

27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, Owned by Jordan Bryan, Instrument No. 2020-10905, Official Public Records, Taylor County, Texas
[ASSIGNED RESOLUTION NO. 122-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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

Councilmember Espinoza moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.026 Acres Out Of Lots 31-34 & The South-Half of Lot 35, Etheridge Addition, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Yates seconded the motion; motion carried.

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

NAYS (0): None

- 28. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Condemnation for a Permanent Widening and Drainage Easement, and Authorization for Eminent Domain Proceedings, for property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas, Owned By W. H. Varner, Volume 1042, Page 505, Deed Records, Taylor County, Texas

[ASSIGNED RESOLUTION NO. 123-2026]

Stanley Smith, City Attorney, presented the item. Adoption of the item would condemn for a permanent widening and drainage easement for the above referenced location.

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 Yates moved that the City Council of the City of Abilene authorize the use of the power of eminent domain to acquire property described as Containing 0.020 Acres Out Of The SW/4 of Section No. 48, Blind Asylum Lands, Abstract No. 624, City of Abilene, Taylor County, Texas, for a public widening and drainage easement. Councilmember Patterson seconded the motion; motion carried.

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

NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 10:12 a.m.

Shawna Atkinson
City Secretary

Weldon Hurt
Mayor

Minutes approved on: _____



**CITY COUNCIL
MEMORANDUM
6/25/2026**

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

ITEM: 4. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Bid to Extreme Exteriors for the Development of an Arboretum and Picnic Area at Kirby Lake Park (*Lesli Andrews*)

GENERAL INFORMATION

The City of Abilene was approached by the Nature Science Center about building an arboretum at Kirby Lake Park. The Nature Science Center has successfully raised the funds to build the project. They have requested the addition be named the Bill & Lila Senter Memorial Arboretum & Picnic Area. The area is located next to the playground in Kirby Lake Park. The Arboretum and picnic area has two main components; the arboretum itself with trees installed in a field of existing grass, and the pollinator garden. The pollinator garden is within the non-maintained portion of the land. The arboretum will consist of trees and a small amount of additional landscape, concrete trail, tree identification signs, and a bird blind.

The City of Abilene went out for bid and received 2 responses on April 1, 2026. Extreme Exteriors was selected as the Best Value Low Bid in the amount of 187,915.87.

FUNDING/FISCAL IMPACT

The Bill & Lila Senter Memorial Arboretum & Picnic Area is 100% privately funded.

STAFF AND/OR BOARD RECOMMENDATION

The Parks and Recreation Board approved the Bill & Lila Senter Memorial Arboretum & Picnic Area at the February 17, 2026 Parks and Recreation Board meeting.

ATTACHMENTS:

1. 26_6_25 Resolution Contract Extreme Exteriors Kirby Lake Arboretum
2. CB2631TAB
3. Contract
4. 26_6_25 Presentation Approving the Contract Extreme Exteriors for Construction Arboretum at Kirby Lake

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 ENTER INTO A CONTRACT WITH EXTREME EXTERIORS FOR THE CONSTRUCTION OF AN ARBORETUM AT KIRBY LAKE.

WHEREAS, on February 17, 2026 the Parks and Recreation Board approved the construction of the Bill and Lila Senter Memorial Arboretum and Picnic Area at Kirby Lake; and

WHEREAS, 100% of the project is funded from private donations; and

WHEREAS, on April 1, 2026 two bids were received; and

WHEREAS, Extreme Exteriors submitted a low bid for the construction of an arboretum at Kirby Lake at a cost of \$187,915.87.

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

Part 1: The City Manager is hereby authorized to enter into a contract with Extreme Exteriors for the construction of an arboretum at Kirby Lake.

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

ADOPTED this 25th day of June 2026.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the 25 day of June, 2026 is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Extreme Exteriors 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 --

KIRBY LAKE ARBORETUM

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 \$187,915.87

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:

Extreme Exteriors

Business Address:

1800 Industrial Blvd.
Abilene, TX 79602


Signature

Brandon Beck
Name - Typed or Printed

325-698-2410
Business Phone No.

DSC
Title - Typed or Printed

20-8931666
Federal Tax I.D.#

ATTEST: (If Corporation)

Corporate Secretary's Signature

Corporate Seal
(if none, write "None")

CITY OF ABILENE

Authorized Signature

ATTEST:

City Secretary

APPROVED:

Seal:

City Attorney

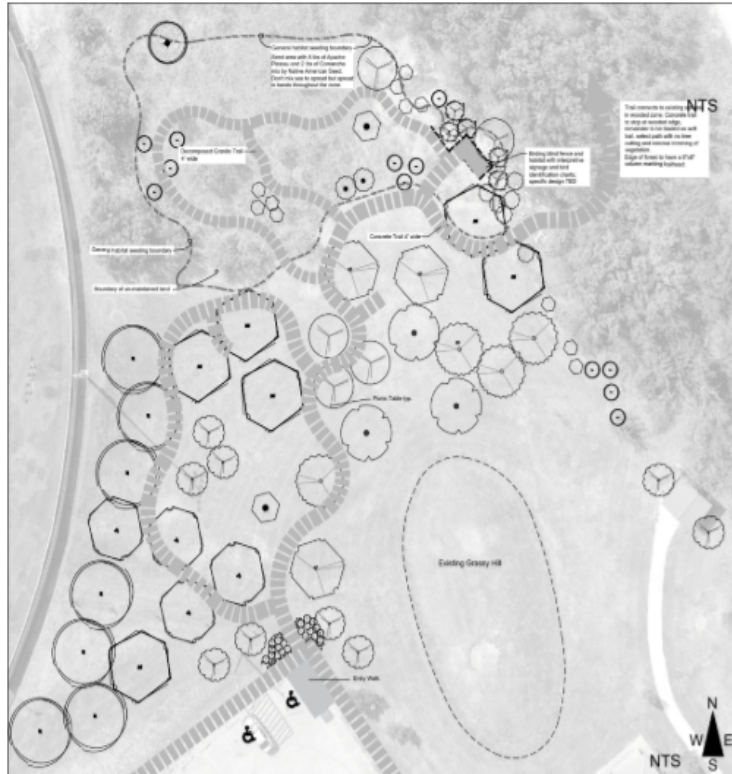


Bill and Lila Senter Memorial Arboretum and Picnic Area





General Information

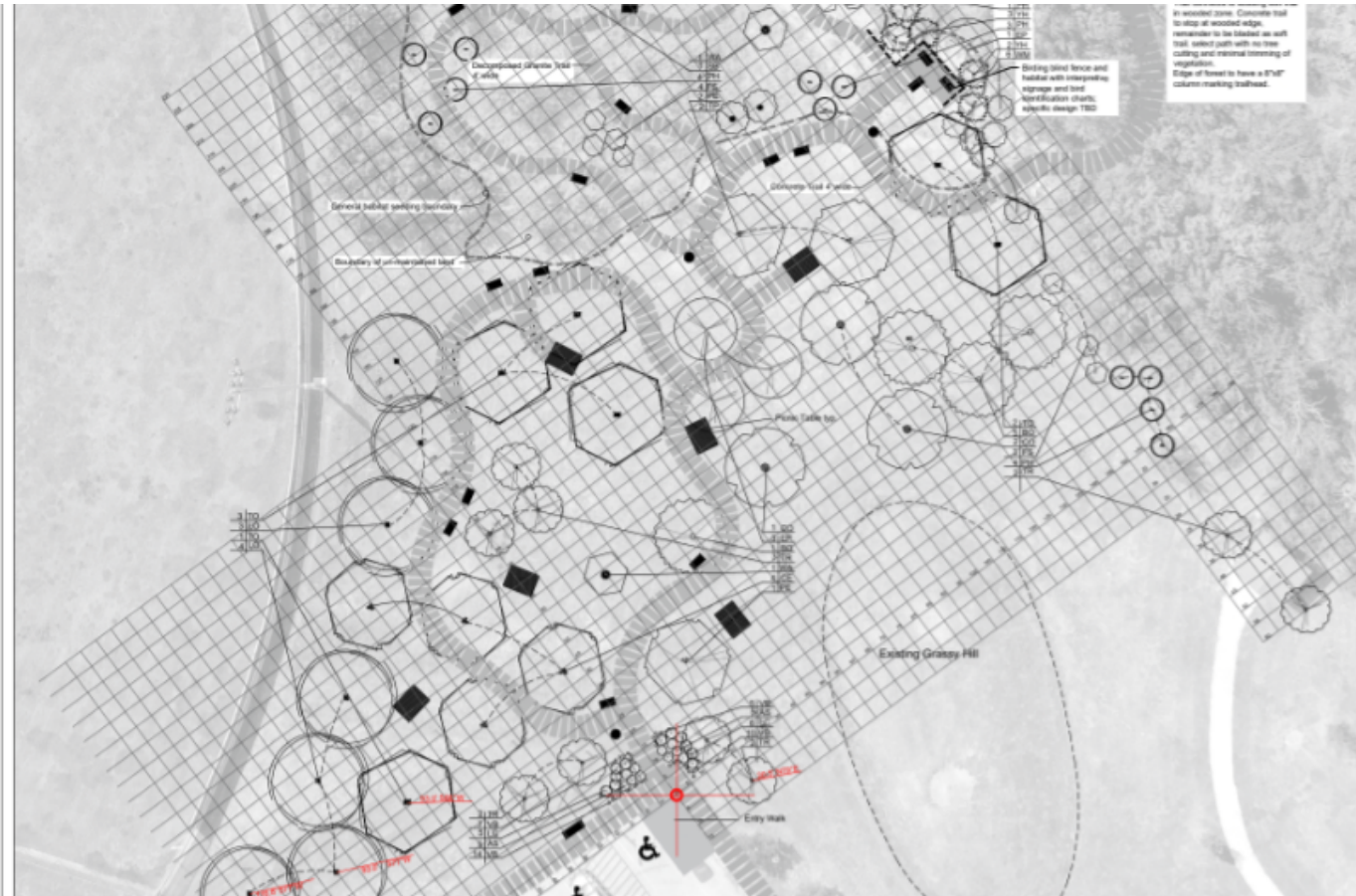


- On February 17, 2026 Parks and Recreation Board approved construction of the Bill and Lila Senter Memorial Arboretum and Picnic Area at Kirby Lake.
- Project 100% funded from private donations.

Bill and Lila Senter Memorial Arboretum and Picnic Area
Lake Kirby Park, Abilene, Texas



General Information



- On April 1, 2026 two bids were received.
- Extreme Exteriors submitted a low bid for the construction of the arboretum at Kirby Lake for a cost of \$187,915.87.
- Bid amounts were confirmed on June 1, 2026.
- Request is for City Council to approve the City Manager to enter into a contract with Extreme Exteriors for the construction of the Bill and Lila Senter Memorial Arboretum and Picnic Area at Kirby Lake.



**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Max Johnson, Director of Public Works
ITEM: 5. Resolution: Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2637 Workzone Project S10B to Bontke Brothers Construction Co., Inc. (Max Johnson)

GENERAL INFORMATION

This construction contract involves the removal and replacement of existing pavement sections in streets bounded by S. 11th St. to S. 14th St. between Willis St. and Barrow St. Also included in this contract are areas of cement stabilization, concrete pavement, removal and replacement of sections of failed curb and gutter, and installation of valley gutters. This project includes a contingency of \$200,000.00

FUNDING/FISCAL IMPACT

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

STAFF AND/OR BOARD RECOMMENDATION

The Street Maintenance Advisory and Appeals Board selected this project during their June 2024 meeting. Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction Co., Inc., of Abilene, Texas, with a base bid amount of \$2,232,166.20.

ATTACHMENTS:

1. Workzone Project S10B Resolution
2. Bontke S10B Contract - Signed
3. CB2637TAB
4. Scope of Project Workzone S10B
5. PROJECT LOCATION MAP
6. Workzone Project S10B Presentation - 6-15-2026

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING 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 Workzone Project S10B; and

WHEREAS, the project involves the rehabilitation of roadways located between S. 11th St. to S. 14th St. and Willis St. to Barrow St.; and

WHEREAS, the project will also include concrete pavement sections, curb and gutter replacement, valley gutter replacement, and alley apron replacement; 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 March 9, 2026:

Bontke Brothers Construction Co., Inc., Abilene, Texas	\$2,232,166.20
4-Way Haulers LLC, Ovalo, Texas	\$2,428,544.85
J.H. Strain & Sons Inc., Tye, Texas	\$2,471,510.40

WHEREAS, Bontke Brothers Construction Co., Inc., Abilene, Texas submitted the best value bid in the amount of \$2,232,166.20 with the bid meeting specifications. Staff recommends awarding the 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 \$2,232,166.20.

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

ADOPTED this 25th day of June, 2026.

ATTEST:

Shawna Atkins, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the 25th day of June, 2026 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 --

WORKZONE PROJECT S10B

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 \$ 2,232,166.20.

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 WHERE OF, the parties hereto have executed this contract:

CONTRACTOR

Name of Contractor:

BONTKE BROTHERS CONSTRUCTION CO.

Business Address:

102 COLLEGE DR.
ABILENE, TX 79601



Signature

BRENT PARTAIN
Name - Typed or Printed

PROJECT EXECUTIVE
Title - Typed or Printed

325-677-6276
Business Phone No.

75-1331325
Federal Tax I.D.#

ATTEST: (If Corporation)



Corporate Secretary's Signature

Corporate Seal
(if none, write "None")



ATTEST:

City Secretary

Seal: |

CITY OF ABILENE

Authorized Signature

APPROVED:

City Attorney

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

DEPARTMENT: ENGINEERING
BID NO.: CB-2637
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: JUNE 9, 2026

BONTKE BROTHERS
CONSTRUCTION CO., INC.
ABILENE, TX

4-WAY HAULERS LLC
OVALO, TX

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

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	WORKZONE PROJECT S10B				2,232,166.20		2,428,544.85		2,471,510.40						
	BASE BID				2,232,166.20		2,428,544.85		2,471,510.40						
	DISCOUNT														
	TOTAL BID				2,232,166.20		2,428,544.85		2,471,510.40						

*NOTES: INDICATES RECOMMENDED AWARD

SCOPE OF PROJECT

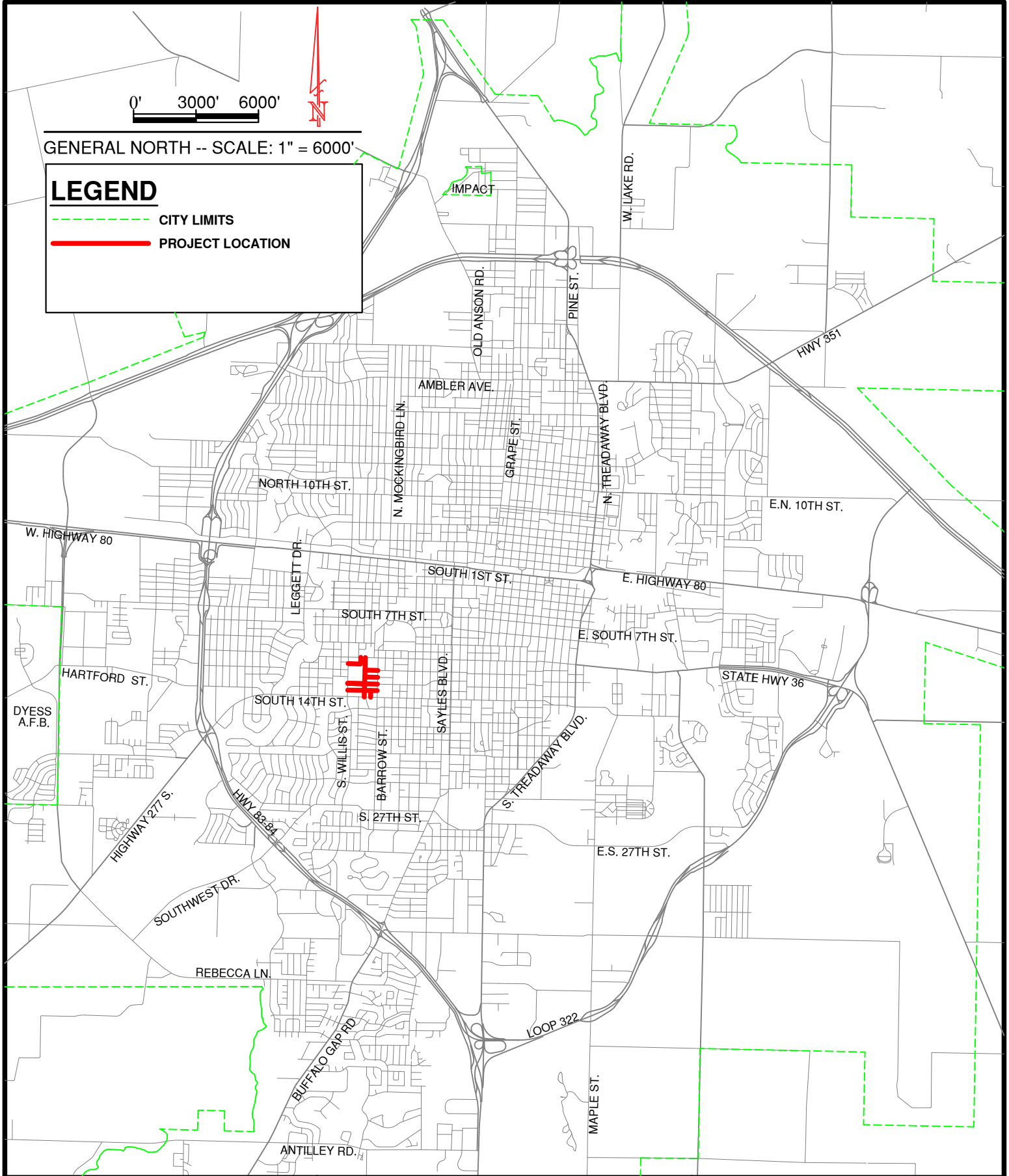
This construction contract involves the removal and replacement of existing pavement sections in streets bounded by S. 11th St. to S. 14th St. between Willis St. and Barrow St. Also included in this contract are areas of cement stabilization, concrete pavement, removal and replacement of sections of failed curb and gutter, and installation of valley gutters.

0' 3000' 6000'

GENERAL NORTH -- SCALE: 1" = 6000'

LEGEND

- CITY LIMITS
- PROJECT LOCATION



Sheet
1
of
1

CITY OF ABILENE, TEXAS
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

WORKZONE PROJECT S10B

Designed By: M. MILLER
Drawn By: M. MILLER
Checked By: M. JOHNSON

Horizontal Scale: 1"=6000'
Vertical Scale: N.T.S.

Computer File Name:
Project Location Map
Date: JUNE 2026

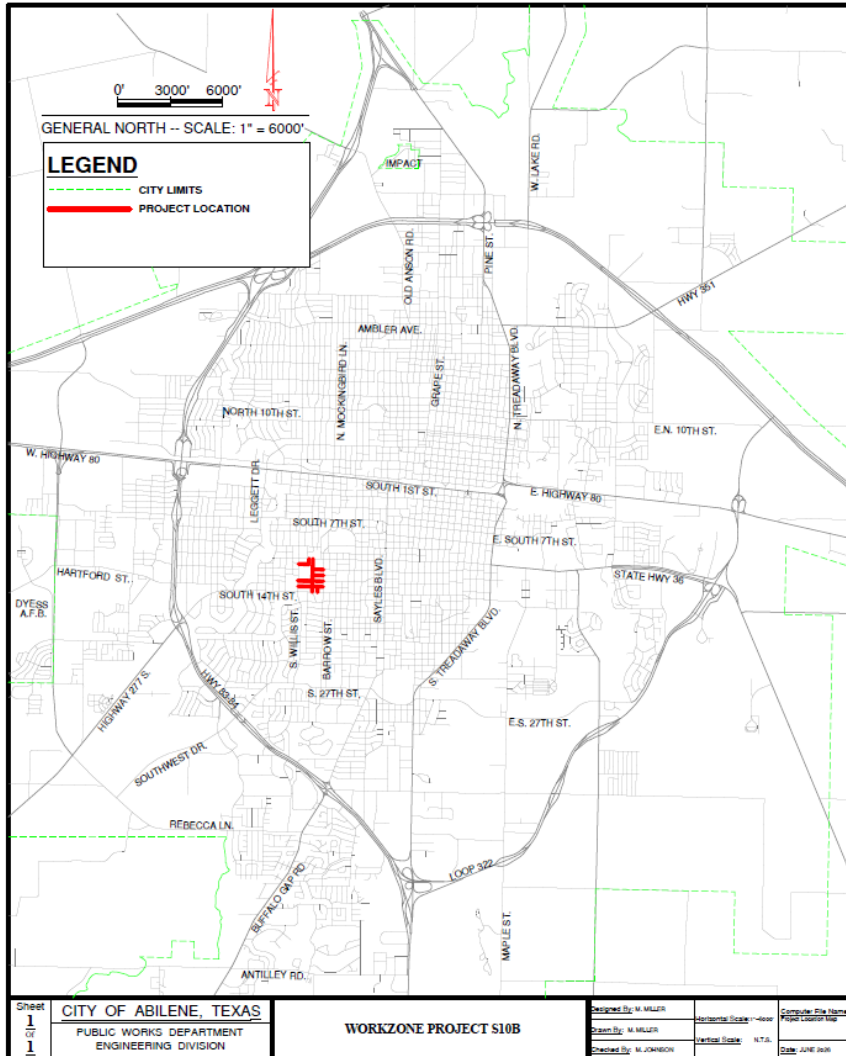
Bid Award of CB-2637 Workzone Project S10B

(Max Johnson)





Bid Award of CB-2637 Workzone Project N9



Limits

S. 11th St. to S. 14th St. between Willis St. and Barrow St.





Bid Award of CB-2637 Workzone Project N9

- Project includes:
 - Removal and replacement of existing pavement sections in streets bounded by S. 11th St. to S. 14th St. between Willis St. and Barrow St.
 - Cement stabilization for areas within project limits.
 - Installation of concrete pavement and valley gutters.
 - Removal and replacement of sections of failed curb and gutter.
- Project advertised May 24 and 31, 2026; bids opened June 9, 2026; three (3) bids received.
- Project allowance: \$200,000.00.
- Staff recommends awarding the bid to the best value bidder, Bontke Brothers Construction Co., Inc. with a base bid of \$2,232,166.20.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Max Johnson, Director of Public Works

ITEM: 6. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the Submission of a Subapplication to the Texas Water Development Board for Federal Emergency Management Agency FY2024 Flood Mitigation Assistance Grant Funding and Designating the City Manager as the Authorized Official (Max Johnson)

GENERAL INFORMATION

The City is a participating community in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). Certain areas within Abilene city limits are designated as Zone A Special Flood Hazard Areas on FEMA's Flood Insurance Rate Maps (FIRMs), meaning FEMA has identified these areas as subject to the 100-year flood event. These Zone A areas are currently unstudied, meaning no detailed hydrologic and hydraulic engineering analysis has been performed and no Base Flood Elevations have been established for these areas. The absence of Base Flood Elevations in these areas has created uncertainty for property owners, lenders, and developers, and has resulted in the delay or abandonment of multiple development projects along key growth corridors including Interstate 20 and Loop 322. A comprehensive hydrologic and hydraulic study of the unstudied Zone A areas within city limits would produce the best available engineering data to support accurate floodplain regulation, inform development decisions, and reduce flood risk to existing and future structures.

FEMA's FY 2024 Flood Mitigation Assistance (FMA) grant program makes federal funds available to local governments for Project Scoping activities, including hydrologic and hydraulic studies that identify and develop future flood mitigation projects that reduce the financial exposure of the NFIP. The proposed project is consistent with the goals and objectives identified in the City of Abilene's current FEMA-approved Local Hazard Mitigation Plan. The FMA program requires a local cost share commitment of twenty five percent (25%) of total eligible project costs as a condition of funding. If awarded, the total estimated project cost is \$678,389, with a federal share of \$508,792 (75%) and a required local match of \$169,597 (25%). The subapplication must be submitted to the Texas Water Development Board (TWDB) no later than June 26, 2026.

FUNDING/FISCAL IMPACT

If Flood Mitigation Assistance Grant is awarded to City of Abilene, cost share portion for City will be \$169,597 (25% share) paid with Stormwater Enterprise Funds and General Funds.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends approval of submission of subapplication for FEMA's FY2024 Flood Mitigation Assistance FMA Grant.

ATTACHMENTS:

1. Subapplication to TWDB for FEMA Grant Resolution - 6-18-2026
2. City of Abilene Cost Estimate -- 6-18-2026
3. Presentation- FMA Application 6-18-2026

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON: **BACKUP DOCUMENTATION**
UPDATED ON:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE SUBMISSION OF A SUBAPPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR FEDERAL EMERGENCY MANAGEMENT AGENCY FY 2024 FLOOD MITIGATION ASSISTANCE GRANT FUNDING AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL

WHEREAS, the City of Abilene, Texas (the "City") is a participating community in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA); and,

WHEREAS, certain areas within the Abilene city limits are designated as Zone A Special Flood Hazard Areas on FEMA's Flood Insurance Rate Maps (FIRMs), meaning FEMA has identified these areas as subject to the 100-year flood event; and,

WHEREAS, these Zone A areas are currently unstudied, meaning no detailed hydrologic and hydraulic engineering analysis has been performed and no Base Flood Elevations have been established for these areas; and,

WHEREAS, the absence of Base Flood Elevations in these areas has created uncertainty for property owners, lenders, and developers, and has resulted in the delay or abandonment of multiple development projects along key growth corridors including Interstate 20 and Loop 322; and,

WHEREAS, a comprehensive hydrologic and hydraulic study of the unstudied Zone A areas within city limits would produce the best available engineering data to support accurate floodplain regulation, inform development decisions, and reduce flood risk to existing and future structures; and,

WHEREAS, FEMA's FY 2024 Flood Mitigation Assistance (FMA) grant program makes federal funds available to local governments for Project Scoping activities, including hydrologic and hydraulic studies that identify and develop future flood mitigation projects that reduce the financial exposure of the NFIP; and,

WHEREAS, the proposed project is consistent with the goals and objectives identified in the City of Abilene's current FEMA-approved Local Hazard Mitigation Plan; and,

WHEREAS, the FMA program requires a local cost share commitment of 25% of total eligible project costs as a condition of funding; and,

WHEREAS, the total estimated project cost is \$678,389, with a federal share of \$508,792 (75%) and a required local match of \$169,597 (25%); and,

WHEREAS, the subapplication must be submitted to the Texas Water Development Board (TWDB) no later than June 26, 2026; and,

WHEREAS, the City Council finds that the submission of this subapplication is in the best interest of the City of Abilene and its residents;

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

- PART 1: The findings set forth in the recitals above are hereby adopted and incorporated as if fully set forth herein.
- PART 2: That the City Council designates the City Manager as the authorized official for this grant application and related matters, and hereby authorizes the City Manager to execute all necessary documents related to the requested funds, including but not limited to applying for, accepting, rejecting, altering, or terminating the grant, as required.
- PART 3: That the City commits to complying with all applicable federal, state, and local regulations governing the use of FMA funds and the implementation of the proposed project.
- PART 4: That the City commits to providing the required local cost share if the grant is awarded.
- PART 5: That this Resolution shall take effect immediately upon its adoption by the City Council.

ADOPTED this 25th day of June, 2026.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley Smith, City Attorney

**CITY OF ABILENE FLOOD MITIGATION ASSISTANCE PROJECT
DETAILED LEVEL OF EFFORT**

Description of Work Tasks		Principal in Charge	Quality Manager	Project Manager	Professional Engineer	Senior Hydrologist	Engineer in Training	GIS/CADD	Administrative	Survey Manager	Sr. Project Surveyor	BCA Sr. Analyst	BCA Analyst	Survey Technician	3-Man Survey Crew	TOTAL HOURS	LABOR COSTS
1 DATA COLLECTION & FIELD SURVEYING																	\$ 233,760.00
1.1	Data Collection	0	0	68	100	64	136	48	0	0	0	0	0	0	0	416	\$ 70,800.00
	A Acquire Data/Studies			8	16		40									64	\$ 9,800.00
	B Acquire Available Models			8		24	24									56	\$ 9,840.00
	C Coordination with City of Abilene			40												40	\$ 9,000.00
	D Historical Gage Data & Rainfall Radar			4	4	40	16	8								72	\$ 13,080.00
	E Historical Flood Complaints			4	40		16	40								100	\$ 15,980.00
	F Construction Records			4	40		40									84	\$ 13,100.00
1.2	Survey Data Collection	0	0	0	80	0	72	160	0	88	200	0	0	320	240	1160	\$ 162,960.00
	A Identify Survey Data Needs				16					40	40					96	\$ 14,400.00
	B Develop Survey Data Collection Plan				24		24				40					128	\$ 17,120.00
	C Survey Reference Marks													40	80	120	\$ 17,800.00
	D Field Reconnaissance				24		24				40			40		128	\$ 17,120.00
	E Survey Team Deployment														160	160	\$ 27,200.00
	F Post-Processing of Survey Data							80		24	40					264	\$ 33,800.00
	G Data Collection Documentation				16		24	80		24	40			80		264	\$ 35,520.00
2 HYDROLOGIC AND HYDRAULIC ANALYSIS																	\$ 214,425.00
2.1	Preliminary H&H Analysis	4	22	10	64	0	84	80	0	0	0	0	0	0	0	264	\$ 43,585.00
	A LiDAR Acquisition							16								16	\$ 2,400.00
	B GIS Data Acquisition							16								16	\$ 2,400.00
	C Preliminary Rain-on-Grid Model Development	2	8	2	40		40	16								108	\$ 17,850.00
	D Historical Storms/Validation			8	2		16	16								42	\$ 7,130.00
	E Frequency Storm Evaluation (2-, 5-, 10-, 25-, 50-, 100-, 500-year events)	2	4	16	24		8									54	\$ 8,535.00
	F Preliminary H&H Technical Memorandum	2	4	2	8		4	8								28	\$ 5,270.00
2.2	Develop Structural Inventory Database	2	8	4	56	4	112	152	8	0	0	0	0	0	0	346	\$ 52,280.00
	A Collect Structural Inventory Data					4	8	16								28	\$ 4,260.00
	B Appraisal District Data				8		16	40								64	\$ 9,480.00
	C FEMA Replacement Costs				8		40	8								56	\$ 7,800.00
	D Approximate Finished Floor Elevations				8		16	24								48	\$ 7,080.00
	E Critical Infrastructure Identification				8		16	8								32	\$ 4,680.00
	F Social Vulnerability Index Data Collection				8		8	24								40	\$ 6,040.00
	G Preliminary Structural Inventory Technical Memorandum	2	8	4	16		8	32	8							78	\$ 12,940.00
2.3	Flood Risk/Damage Center Identification	4	28	8	56	16	144	120	0	0	0	0	0	0	0	376	\$ 60,500.00
	A Compare Preliminary Rain-on-Grid Inundation to Structural Inventory				8			16								24	\$ 3,800.00
	B Quantify Flood Risk			8	8		40									64	\$ 10,440.00
	C Identify Preliminary Damage Centers	2	8		8		40	40								98	\$ 15,400.00
	D Compare Results to Historical Flood Records			2		8	8	16								34	\$ 5,630.00
	E Prioritize Damage Centers			2		16		8								42	\$ 6,630.00
	F Prepare Preliminary Flood Risk Technical Memorandum	2	8	8	16		40	40								114	\$ 18,600.00
2.4	BCA and Alternative Analysis Support	4	0	4	104	0	152	120	0	0	0	0	0	0	0	384	\$ 58,060.00
	A Determine Damage Center Primary Sources	2		2	8		24									36	\$ 5,570.00
	B Land/Use Property Ownership Assessment			2	8		24	40								74	\$ 10,970.00
	C Planning Level Environmental Review				24		16	40								80	\$ 12,280.00
	D Planning Level Opinion of Probable Construction Costs				40		40									80	\$ 12,200.00
	E Prepare Preliminary Benefit Cost Analysis				8		8									16	\$ 2,440.00
	F Determine SVI Benefits	2			16		40	40								98	\$ 14,600.00
3 BENEFIT COST ANALYSIS																	\$ 77,000.00
3.1	FEMA Benefit Cost Analysis and Report	0	0	0	0	0	0	0	0	0	0	200	320	0	0	520	\$ 77,000.00
	A Complete BCAs for each alternative presented							0				200	320				
4 PROJECT IDENTIFICATION																	\$ 100,900.00
4.1	Alternatives Analysis	8	8	16	120	104	240	128	0	0	0	0	0	0	0	624	\$ 100,900.00
	A Evaluate Conceptual Flood Risk Alternatives			8	40	40	120	40								248	\$ 38,980.00
	B Identify Favorable Flood Risk Alternatives				40	40	40	24								144	\$ 24,000.00
	C Identify Fast-Track Flood Risk Alternatives				24	24	40	24								112	\$ 17,920.00
	D Workshop with City of Abilene	8		16	16		40	40								120	\$ 20,000.00
5 FINAL REPORT																	\$ 20,000.00
5.1	Final Report	0	20	8	0	0	40	42	16	0	0	0	0	0	0	126	\$ 20,000.00
	A Final Drainage Analysis Report		20	8			40	42	16							126	\$ 20,000.00
TOTAL HOURS		22	86	118	580	188	980	850	24	88	200	200	320	320	240	4216	
Contract Labor Rate		\$300.00	\$275.00	\$225.00	\$175.00	\$205.00	\$130.00	\$150.00	\$75.00	\$150.00	\$140.00	\$185.00	\$125.00	\$105.00	\$170.00		
TOTAL LABOR COSTS BASIC ENGINEERING SERVICES		\$6,600	\$23,650	\$26,550	\$101,500	\$38,540	\$127,365	\$127,480	\$1,800	\$13,200	\$28,000	\$37,000	\$40,000	\$33,600	\$40,800		\$ 646,085.00
Management Costs (5% of Engineering Costs)																	\$ 32,304.25
TOTAL PROJECT COST																	\$ 678,389.25

**Resolution: Authorizing the Submission of a
Subapplication to TWDB for FEMA's FY24 Flood
Mitigation Grant and Designating City Manager
as Authorized Official**

(Max Johnson)





Authorizing the Submission of a Subapplication to TWDB for FEMA's FY24 Flood Mitigation Grant and Designating City Manager as Authorized Official

- Certain areas within Abilene city limits are designated as Zone A Special Flood Hazard Areas, meaning FEMA has identified these areas as subject to the 100-year flood event.
- Zone A areas are currently unstudied, meaning no detailed hydrologic and hydraulic engineering analysis exists.
- A comprehensive hydrologic and hydraulic study of the unstudied Zone A areas within city limits would produce the best available engineering data to support accurate floodplain regulation, inform development decisions, and reduce flood risk to existing and future structures.
- FEMA's FY 2024 Flood Mitigation Assistance (FMA) grant program makes federal funds available to local governments for Project Scoping activities.
- The FMA program requires a local cost share commitment of twenty five percent (25%); if awarded, the total estimated project cost is \$678,389 -- Federal share = \$508,792 (75%) and Local Match = \$169,597 (25%).
- Subapplication must be submitted to the Texas Water Development Board (TWDB) no later than June 26, 2026.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

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

ITEM: 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the HWTP Microfiltration Backwash Piping Improvements Project (Matthew Dane)

GENERAL INFORMATION

Water Utilities staff is requesting that the Abilene City Council approve Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the Hargesheimer Water Treatment Plant (HWTP) Microfiltration Backwash Piping Improvements Project in the amount of \$40,000.00. This amendment increases the total contract amount from \$69,900.00 to \$109,900.00.

The original contract provided engineering design services for replacement of the microfiltration backwash piping system. Amendment No. 1 expanded the scope to include construction phase services during project implementation. Amendment No. 2 provides additional construction phase engineering support required to address field conditions encountered during construction.

The project was designed using available record drawings and as-built information. During construction, Dowtech and Hazen & Sawyer identified horizontal and vertical offsets between the existing microfiltration header piping and membrane rack connections that differed from the documented conditions.

An initial solution utilizing flexible stainless-steel piping was evaluated to accommodate the field offsets. However, significant increases in the cost of flexible stainless-steel piping made that approach cost prohibitive. Hazen & Sawyer is working with the City and Dowtech to develop and implement an alternative utilizing conventional piping materials and expansion couplings while maintaining system reliability and operational performance.

Additional construction phase engineering services are required to evaluate field conditions, develop revised design details, review contractor submittals, respond to requests for information, and provide ongoing construction support necessary for successful completion of the project.

FUNDING/FISCAL IMPACT

The amendment will be funded through the Water Utilities Capital Improvement Program (CIP) funds and is included within the project budget.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends that the Abilene City Council approve Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the HWTP Microfiltration Backwash Piping Improvements Project in the amount of \$40,000.00, increasing the total contract amount to \$109,900.00.

ATTACHMENTS:

1. 2 - WrittenResolution - Hazen PSA Amendment 2
2. Amendment No. 2 - Abilene HWTP Backwash Improvements 5.6.2026_Hazene Executed 2026 0507
3. 3 - Presentation - Hazen PSA Amendment 2

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT WITH HAZEN AND SAWYER FOR THE HARGESHEIMER WATER TREATMENT PLANT (HWTP) MICROFILTRATION BACKWASH PIPING IMPROVEMENTS PROJECT.

WHEREAS, the City of Abilene (City) owns and operates the Hargesheimer Water Treatment Plant, which includes a microfiltration treatment system critical to the City’s water supply operations; and

WHEREAS, the City previously entered into a Professional Services Contract with Hazen and Sawyer for engineering design services associated with the HWTP Microfiltration Backwash Piping Improvements Project; and

WHEREAS, Amendment No. 1 expanded the scope of services to include construction phase engineering support during project implementation; and

WHEREAS, during construction, field verification identified differences between documented and actual site conditions, including horizontal and vertical offsets between existing piping and membrane rack connections; and

WHEREAS, additional engineering services are necessary to evaluate field conditions, develop revised design solutions, provide construction support, and assist in implementing a cost-effective alternative; and

WHEREAS, Amendment No. 2 increases the contract amount by \$40,000.00, resulting in a revised total contract amount of \$109,900.00;

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

That the City Manager is authorized execute Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the HWTP Microfiltration Backwash Piping Improvements Project in the amount of \$40,000.00, for a revised total contract amount of \$109,900.00

ADOPTED this 25th day of June, 2026.

ATTEST:

Shawna Atkinson, City Secretary

Weldon Hurt, Mayor

APPROVED:

Stanley E. Smith, City Attorney

CLIENT: *City of Abilene*

CONSULTANT: *Hazen and Sawyer*

PROJECT: *HWTP Microfiltration Backwash Piping Improvements*

AGREEMENT FOR PROFESSIONAL SERVICES

AMENDMENT No. 2

This **Amendment** dated the | 25th | day of June, 2026 to the Agreement for Professional Services (the “Agreement”) dated the 2nd day of April, 2025 is made and entered into between City of Abilene (“**CLIENT**”) and Hazen and Sawyer (“**CONSULTANT**”), collectively, “the Parties.”

WHEREAS the Parties desire to amend “**SCHEDULE A – SCOPE OF SERVICES**” and/or “**SCHEDULE B – COMPENSATION**” of the Agreement.

NOW THEREFORE, in consideration of the mutual promises contained herein, **CLIENT** and **HAZEN** agree to modify the following paragraphs of the Agreement:

SCHEDULE A – SCOPE OF SERVICES

The Scope of Services currently authorized to be performed by **HAZEN** in accordance with the Agreement and previous Amendments, if any, is modified as follows:

Construction Phase Services: Hazen will support the City of Abilene with construction phase services, including the following at the City’s direction:

- Evaluate and respond to up to ten (10) construction material submittals, resubmittals, and shop drawings
- Up to 20 periodic site visits for the 90-day construction duration
- Evaluate and respond to up to four (4) Contractor requests for information (RFIs)
- Post-construction walk-through and punch list

SCHEDULE B – COMPENSATION

For the additional and/or changed services, **CLIENT** shall pay **HAZEN** the following additional compensation:

The total time and material compensation for completing this Amendment No. 2 is **\$40,000.00**. The project will be billed at an hourly rate of 3.32 times the raw labor cost.

This Amendment increases the Current Agreement Maximum Amount from **\$69,900.00** by **\$40,000.00**, to a Revised Maximum Amount of **\$109,900.00**. The cost of the additional and/or changed services shall not exceed **\$109,900.00**.

Payments to **HAZEN** will be made based upon actual hours worked and project-related expenses incurred.

CLIENT and **HAZEN** hereby agree to modify the Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

This Amendment may be executed in counterparts, each of which shall be deemed to be an original.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their duly authorized officers or partners and is made effective the latest date and year written below.

City of Abilene

Hazen and Sawyer


By: _____

Emily Crawford
City Manager
Date of Signing:

By:  _____

Scott Hardy, PE, PMP
Associate Vice President
Date of Signing:

Witness Date

 _____ May 07, 2026
Witness Date

**Approve Amendment No. 2 to the Professional Services Contract with
Hazen and Sawyer for the HWTP Microfiltration Backwash Piping
Improvements Project**





HWTP Backwash Piping - Amendment 2

HWTP Microfiltration Backwash Piping Improvements

- Amendment No. 2 Amount: \$40,000
- Revised Total Contract Amount: \$109,900
- Provides additional construction phase engineering services
- Construction currently being performed by Dowtech





HWTP Backwash Piping - Amendment 2

- Design was developed using available record drawings and as-built information
- Construction revealed horizontal and vertical offsets between existing piping and membrane rack connections
- Actual field conditions differed from documented conditions
- Additional engineering support is needed to address the discovered conflicts





HWTP Backwash Piping - Amendment 2

- Initial solution considered flexible stainless-steel piping
- Market pricing for flexible stainless-steel piping increased substantially
- Hazen & Sawyer is developing a more cost-effective alternative using conventional piping materials and expansion couplings
- Amendment provides support for revised design details, submittal reviews, RFIs, and construction coordination





HWTP Backwash Piping - Amendment 2

- Amendment No. 2: \$40,000
- Revised Contract Total: \$109,900
- Funding Source: Water Utilities Capital Improvement Program (CIP)
- Staff recommends approval of Amendment No. 2



Approve Amendment No. 2 to the Professional Services Contract with Hazen and Sawyer for the HWTP Microfiltration Backwash Piping Improvements Project

QUESTIONS?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services

ITEM: **8. Ordinance (First Reading) CUP-2026-08: Receive a Report, Hold a Discussion, and Take Action on a Request from The Owner, To Apply a Conditional Use Permit to Approximately 1.49 Acres Zoned General Commercial (GC) To Allow for Contractor Services. Located At 411 East South 11th Street. (Tim Littlejohn)**

GENERAL INFORMATION

The subject property was annexed into the City limits in 1957. The applicant is proposing to use the property for their business, Overhead Door Company of Abilene.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends **approval** of the Conditional Use Permit subject to the Plan of Operation by a vote of 5-0.

ATTACHMENTS:

1. Ordinance
2. Staff Report
3. CUP Plan of Operation
4. CUP 2026-08
5. Concept Plan
6. 449 ES 11th Street
7. Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) 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 23 of the Land Development Code of the City of Abilene, is hereby amended by approving a Conditional Use Permit (CUP) 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 25th day of June, 2026.

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 May, 2026, 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 9th day of July, 2026, 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 9th day of July, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Apply a Conditional Use Permit to allow contractor services in General Commercial (GC) zoning subject to the following conditions:

- Plan of Operation (Exhibit B)

Legal description as follows:

BEING 1.49 ACRES AND BEING ALL OF LOT 1 AND THE WEST ½ OF LOT 2, BROWN-HALL-MEYER-FREDECK SUBDIVISION OF LOT 1, BLOCK 211 OF THE ORIGINAL TOWN OF ABILENE, TAYLOR COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 378, PLAT RECORDS OF TAYLOR COUNTY, TEXAS, AND 1.49 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTH SIDE OF EAST SOUTH 11TH STREET AT THE NORTHWEST CORNER OF SAID LOT 1;

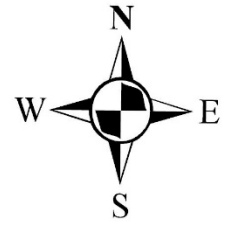
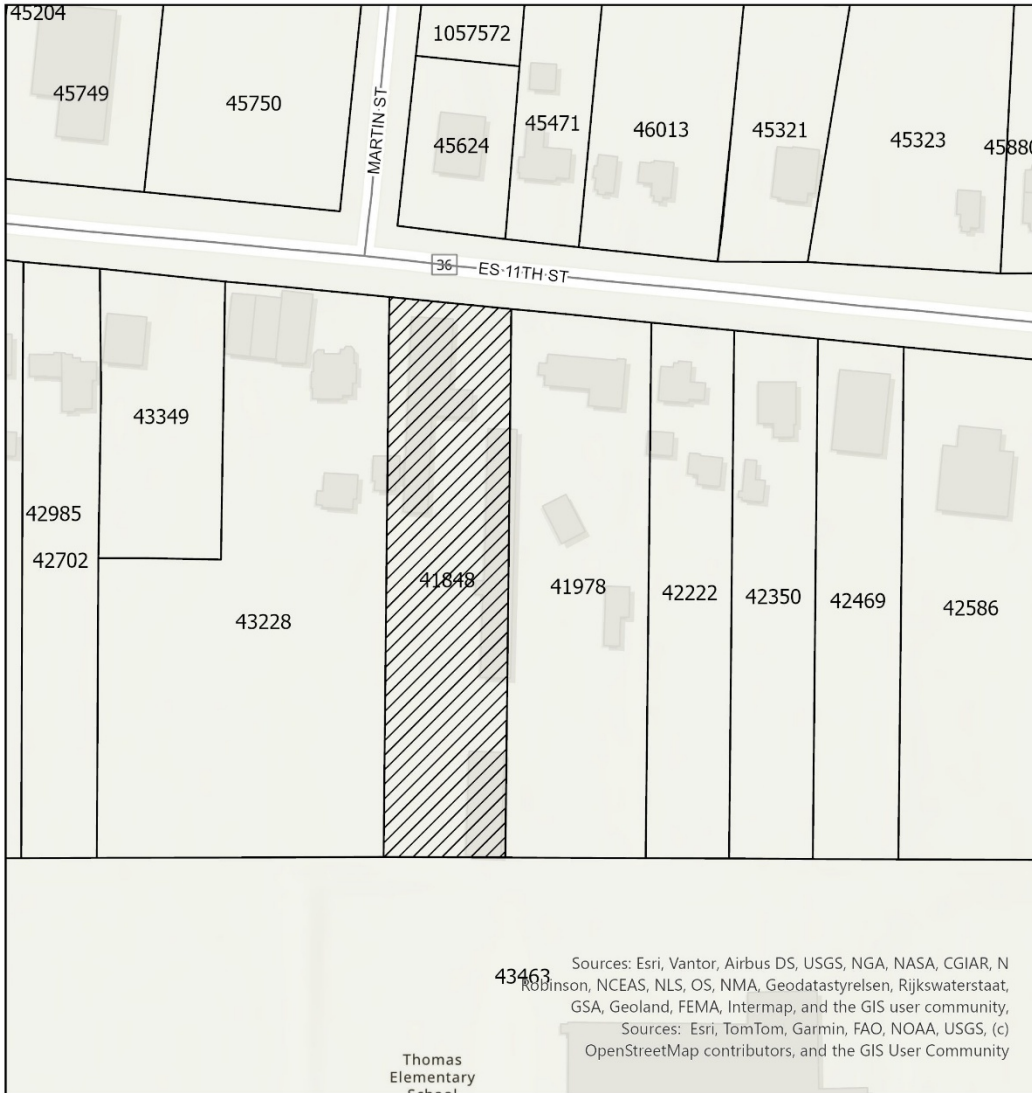
THENCE S85°35'29"E 119.67 FEET ALONG THE SOUTH LINE OF SAID STREET AND THE NORTH LINE OF SAID LOTS 1 AND 2 TO A 1/2" REBAR ON THE NORTH LINE OF SAID LOT 2 AT THE NORTHEAST CORNER OF THIS TRACT;

THENCE S0°27'27"W 540.60 FEET TO A 3/8" REBAR ON THE SOUTH LINE OF SAID LOT 2 FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 89°53'05"W 119.20 FEET ALONG THE SOUTH LINE OF SAID LOTS 1 AND 2 TO A 3/8" REBAR AT THE SOUTHWEST CORNER OF SAID LOT 1 FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N0°27'16"E 551.64 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE PLACE OF BEGINNING AND CONTAINING 1.49 ACRES OF LAND.

Located at 411 East South 11th Street.



0.04

Miles

 CUP-2026-08

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

Thomas Elementary School

ORDINANCE NO. _____

EXHIBIT B

Residential and Commercial Sales and Repair of Garage Doors and Gates
Hours of Operation: 8:00AM to 5:00PM
Days of Operation: Monday to Friday
Inventory and Vehicles Kept in Building Behind Locked Gate
Installation and Repairs Completed on Customer Property

END

ZONING CASE CUP-2026-08 STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
 City Council 1st Read: June 25, 2026
 City Council 2nd Read: July 9, 2026

Applicant

Winifred Campbell

Owner

Overhead Door Company of Abilene

Case Manager

Kera Valois – Planner

Request

A Conditional Use Permit to allow contractor services in General Commercial (GC) zoning.

Location

The subject property is located at 411 ES 11th Street. Legal description being approximately 1.49 acres and being all of Lot 1 and the West ½ of Lot 2, Brown-Hall-Meyer-Fredeck Subdivision of Lot 1, Block 211 of the Original Town of Abilene, Abilene, Taylor County, Texas.

Background

The subject property was annexed into the City limits in 1957. The applicant is proposing to use the property for their business, Overhead Door Company of Abilene.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	GC	Commercial
East	GC	House/Abilene Pecan
South	AO	School
West	GC	Commercial

Criteria Assessment

Staff has reviewed the request based upon the factors established in Section 1.4.3.5, Criteria for Approval of the Land Development Code. These factors are identified and addressed below:

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan.**

The proposed request is consistent with the Comprehensive Plan.

- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.**

The proposed use is consistent with the requirements in General Commercial zoning.

- 3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods and includes improvements either on-site or within the public rights-of-way to mitigate development-related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.**

The proposed use is compatible with surrounding developments and staff does not believe the use will create adverse impacts.

- 4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

The proposed use is located on an arterial street and is compatible with the surrounding General Commercial uses. Staff does not believe the use will be hazardous or conflict with the existing and anticipated traffic.

- 5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.**

The proposed use does not generate a level of traffic that would adversely affect the existing road network in the vicinity of the subject site.

- 6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.**

The applicant will be using the existing structure. There are not any proposed additions at this time. There should be no adverse effects on the neighboring properties.

- 7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.**

The proposed use is compatible with the surrounding uses at this location.

Planning & Zoning Recommendation

P&Z recommends **approval** of the Conditional Use Permit subject to the Plan of Operation.

Attachments

- Plan of Operation
- Concept Plan
- PowerPoint Presentation

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, 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

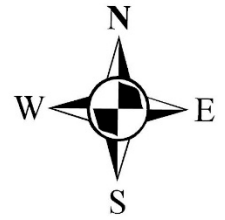
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE IND SCHOOL DIST	43463	1240 LAKESIDE DR	
AD 3 PROPERTY LLC	45750	358 ES 11 TH ST	
BILLINGS CYNTHIA KAY	41978	449 ES 11 TH ST	F
CHRISTIAN DORA SUE	45471	418 ES 11 TH ST	
CHRISTIAN DORA SUE TRUST	46013	426 ES 11 TH ST	
CHRISTIAN DORA SUE TRUST	46013	434 ES 11 TH ST	
LATOUR COMMERCIAL PROPERTIES LLC	45624	402 ES 11 TH ST	
MC PHAIL MIKE	43228	365 ES 11 TH ST	
MC PHAIL MIKE	43228	401 A ES 11 TH ST	
MC PHAIL MIKE	43228	401 B ES 11 TH ST	
MC PHAIL MIKE	43228	363 ES 11 TH ST	
MC PHAIL MIKE	43228	361 ES 11 TH ST	
MC PHAIL MIKE	43228	401 ES 11 TH ST	
MC PHAIL MIKE	43349	349 ES 11 TH ST	
MC PHAIL MIKE	42222	457 ½ ES 11 TH ST	
MC PHAIL MIKE	42222	457 ES 11 TH ST	
OVERHEAD DOOR COMPANY OF ABILENE INC	41848	411 ES 11 TH ST	Applicant

PROPERTY ID

Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
OVERHEAD DOOR COMPANY OF ABILENE INC	41848	411 ES 11 TH ST	Applicant
BILLINGS CYNTHIA KAY	41978	449 ES 11 TH ST	F
MC PHAIL MIKE	42222	457 1/2 ES 11 TH ST	
MC PHAIL MIKE	42222	457 ES 11 TH ST	
MC PHAIL MIKE	43228	365 ES 11 TH ST	
MC PHAIL MIKE	43228	401 A ES 11 TH ST	
MC PHAIL MIKE	43228	401 B ES 11 TH ST	
MC PHAIL MIKE	43228	363 ES 11 TH ST	
MC PHAIL MIKE	43228	361 ES 11 TH ST	
MC PHAIL MIKE	43228	401 ES 11 TH ST	
MC PHAIL MIKE	43349	349 ES 11 TH ST	
ABILENE IND SCHOOL DIST	43463	1240 LAKESIDE DR	
CHRISTIAN DORA SUE	45471	418 ES 11 TH ST	
LATOUR COMMERCIAL PROPERTIES LLC	45624	402 ES 11 TH ST	
AD 3 PROPERTY LLC	45750	358 ES 11 TH ST	
CHRISTIAN DORA SUE TRUST	46013	426 ES 11 TH ST	
CHRISTIAN DORA SUE TRUST	46013	434 ES 11 TH ST	

NOTIFICATION MAP



0.04

Miles

- CUP-2026-08
- Notification Area

43463 Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

Thomas
Elementary
School

PLAN OF OPERATION

CUP PLAN OF OPERATION

**RESIDENTIAL AND COMMERCIAL SALES AND REPAIR OF GARAGE DOORS
AND GATES**

HOURS OF OPERATION : 8:00 A.M. – 5:00 PM

DAYS OF OPERATION : MONDAY-FRIDAY

INVENTORY AND VEHICLES KEPT IN BUILDING BEHIND LOCKED GATE

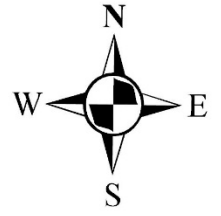
INSTALLATION AND REPAIRS COMPLETED ON CUSTOMER PROPERTY

The Genuine. The Original.



**Overhead Door Company of Abilene
411 E. South 11th
Abilene, Tx 79602-4003
325-695-2070**

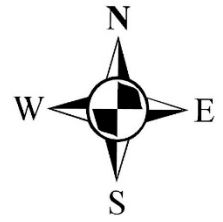
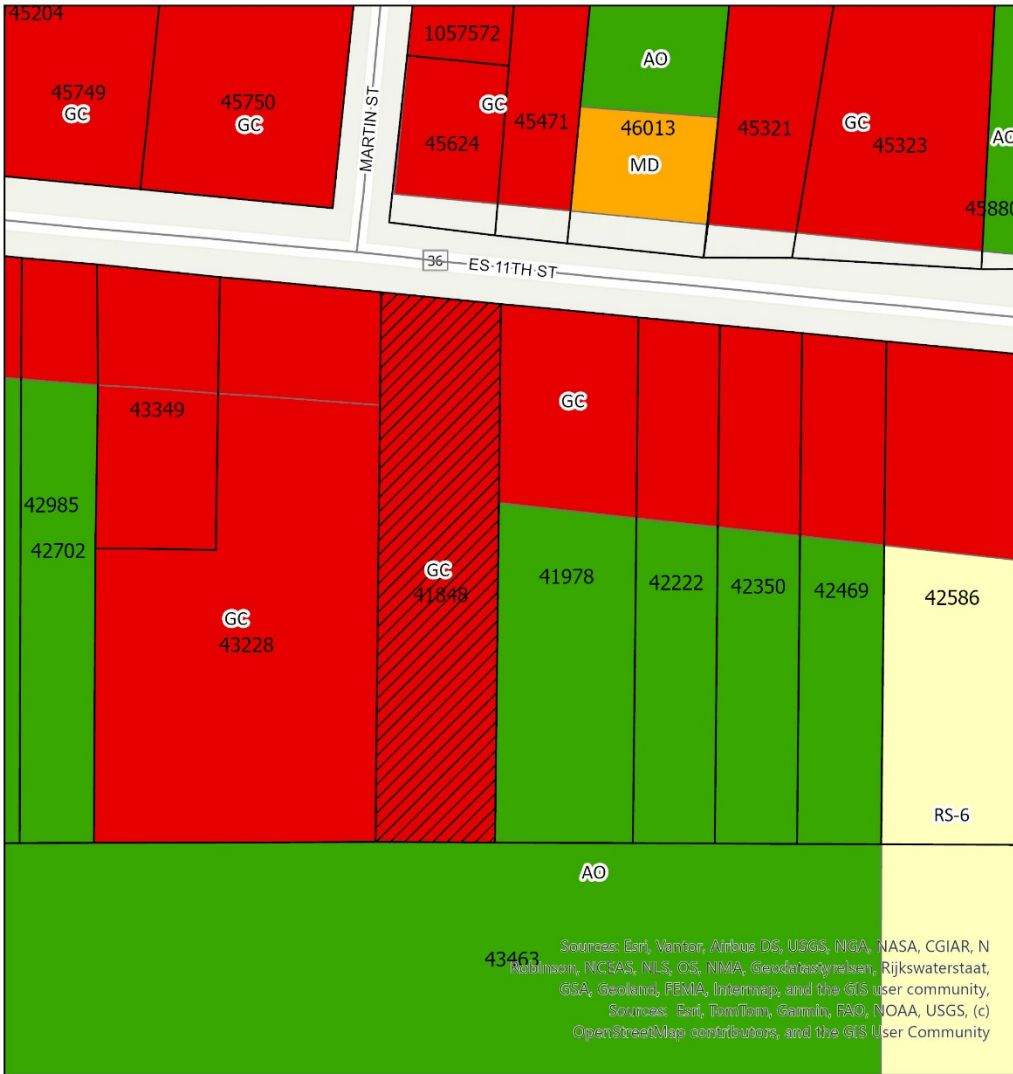
LOCATION MAP



0.04 Miles

 CUP-2026-08

ZONING MAP



0.04

Miles

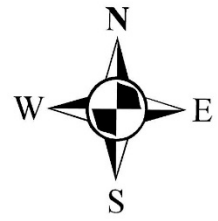
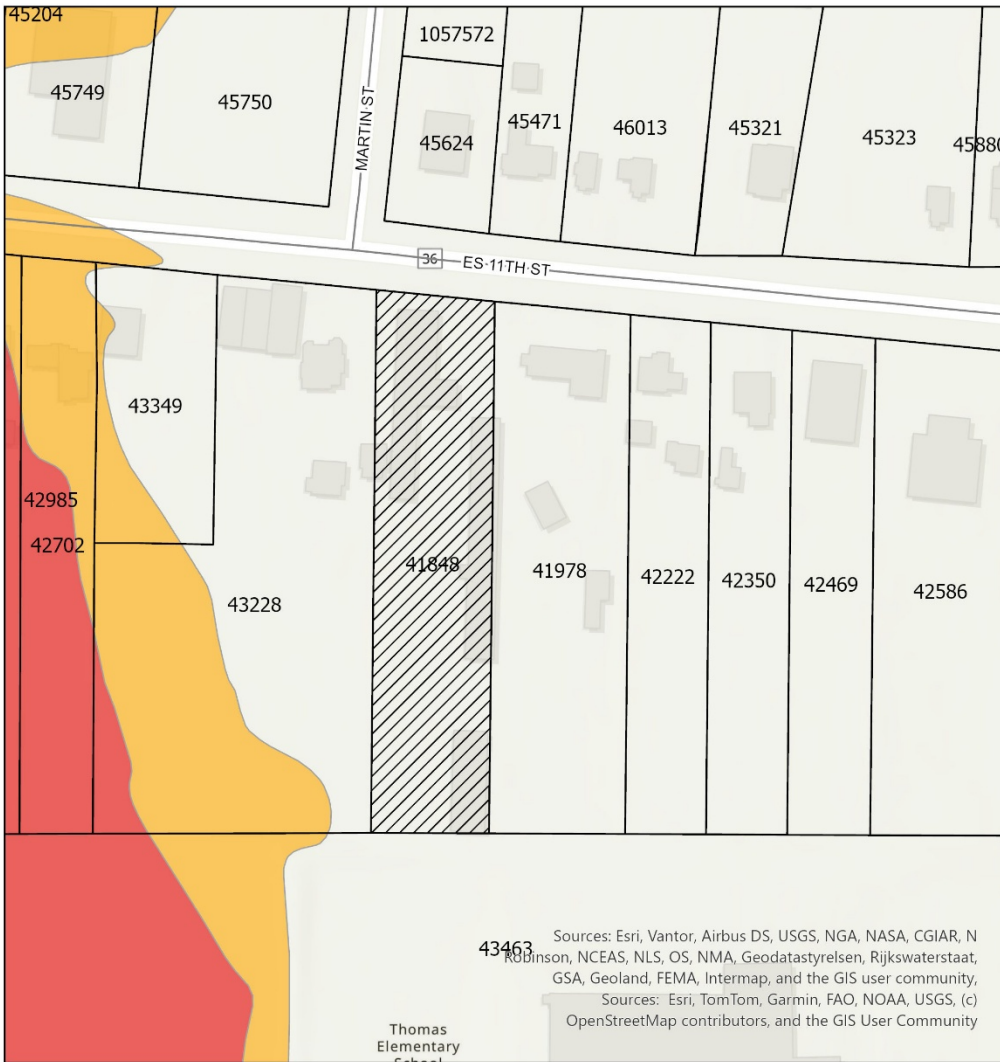
CUP-2026-08

Zoning Districts

- AO
- GC
- MD
- RS-6

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

FLOOD MAP







0.04

Miles

 CUP-2026-08

FEMA Flood Zones

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

43463 Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

Thomas Elementary School

CUP PLAN OF OPERATION

**RESIDENTIAL AND COMMERCIAL SALES AND REPAIR OF GARAGE DOORS
AND GATES**

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DAYS OF OPERATION : MONDAY-FRIDAY

INVENTORY AND VEHICLES KEPT IN BUILDING BEHIND LOCKED GATE

INSTALLATION AND REPAIRS COMPLETED ON CUSTOMER PROPERTY

The Genuine. The Original.



**Overhead Door Company of Abilene
411 E. South 11th
Abilene, Tx 79602-4003
325-695-2070**

WAIVER OF CONCEPT PLAN

A concept plan will not be required for CUP 2026-08, Staff does not feel it is relevant to the decision of this case.

Timothy A Littlejohn

Director of Planning and Development Services

11th St.

Commercial
560 sq Office Building
Yr Built: 1960
Wood Frame, Brick Facade
Asphalt and Gravel Roof (replaced 2021 per listing agent)

980 sq Warehouse
Yr Built: 1960
Cinder Block
Metal Roof

3,120 sq Warehouse
Yr Built: Unknown
Metal Red Iron Building
Metal Roof

1,365 sq Storage
Yr Built: Unknown
Wood Frame
Metal Roof

2,088 sq Carport
Yr Built: Unknown
Metal Roof

2,404 sq Storage
Yr Built: Unknown
Cinder Block Metal Exterior
Metal Roof

1,442 sq Carport
Yr Built: Unknown
Metal Roof

1,382 sq Storage
Yr Built: Unknown
Cinder Block Metal Exterior
Metal Roof

7,210 sq Shed
Yr Built: Unknown
Metal Roof

Legend

- Warehouse 9,251 SF
- Office 2,560 SF
- Property Boundary 1.78 AC
- Shed 7,210 SF

Earth



200 ft



BILLINGS CYNTHIA KAY
449 E SOUTH 11TH ST
ABILENE, TX 79602-4003

NOTICE OF PUBLIC HEARING

RE: Zoning Application Number CUP-2026-08

May 8, 2026

The Planning and Zoning Commission of the City of Abilene will hold a public hearing on **June 2, 2026, at 1:30 PM** in the Council Chambers. The Council Chambers are located on the second floor of City Hall at 555 Walnut Street in Abilene, Texas. The owner or the owner's agent is requesting to apply a Conditional Use Permit to a property to allow Contractor Services in General Commercial (GC) Zoning. Located at 411 ES 11th St. Legal description being approximately 1.49 acres and being all of Lot 1 and the West 1/2 of Lot 2, Brown-Hall-Meyer-Fredeck Subdivision of Lot 1, Block 211 of the Original Town of Abilene, Abilene, Taylor County, Texas.

This public hearing is open to any interested person. Your opinions, objections, and comments relative to this may be expressed in writing, or in person at the public hearing. The City of Abilene encourages you to participate in this process. You will find a response form at the bottom of this letter that you may complete, cut off, and mail to the City. All written responses must be signed by the respondent per State law.

The area highlighted on the map by striped lines is being considered for a zone change. The solid boundary line surrounding the highlighted area is a state mandated 200' notification area. You are receiving this letter because your address is located within this notification area.

If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for a final reading with a public hearing on **July 9, 2026, at 8:30 AM** in the Council Chambers.

If you have any questions, please contact Kera Valois at 325-676-6493 or by email address planning@abilenetx.gov

ZONING NOTIFICATION RESPONSE FORM CASE: CUP-2026-08

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. All responses must be received within 5 days of the meeting to be placed in the agenda packet. Please mail the response form to:

**Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.**

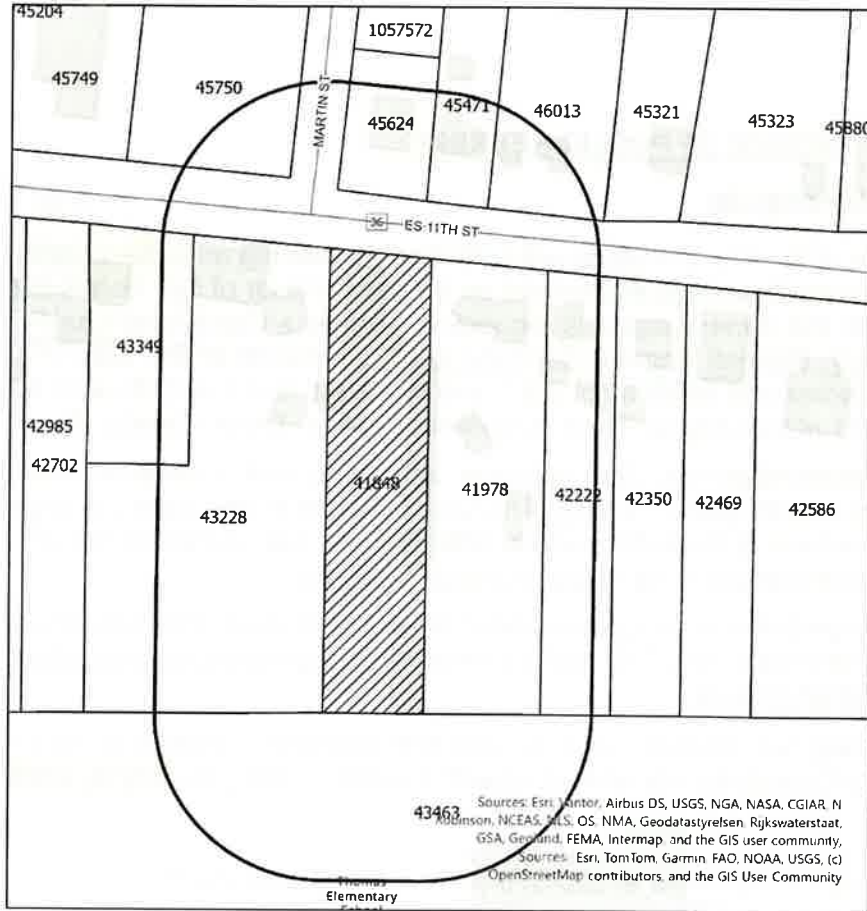
JUN 1 AM 10:05

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning: GC	Your Name: BILLINGS CYNTHIA KAY	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning: GC/CUP	Your Address: 449 ES 11TH ST	
Requestor's Parcel ID: 41848	Your Parcel ID: 41978	I am opposed <input type="checkbox"/>

Signature: Cynthia Kay Billings

CUP-2026-08



If opposed, please provide comments:

What you are doing is spot zoning. This does not lead to a harmonious use of the properties. They should all be consistent.

Randy Billings



CONDITIONAL USE PERMIT

Case: CUP-2026-08

Applicant: Winifred Campbell

Owner: Overhead Door Company of Abilene

Request: A Conditional Use Permit to allow contractor services within General Commercial (GC) zoning.

Location: 411 ES 11th Street

Notification: 1 in Favor, 0 in Opposition

Planning & Zoning: June 2, 2026

Council Hearing: June 25, 2026
July 9, 2026





AERIAL LOCATION MAP



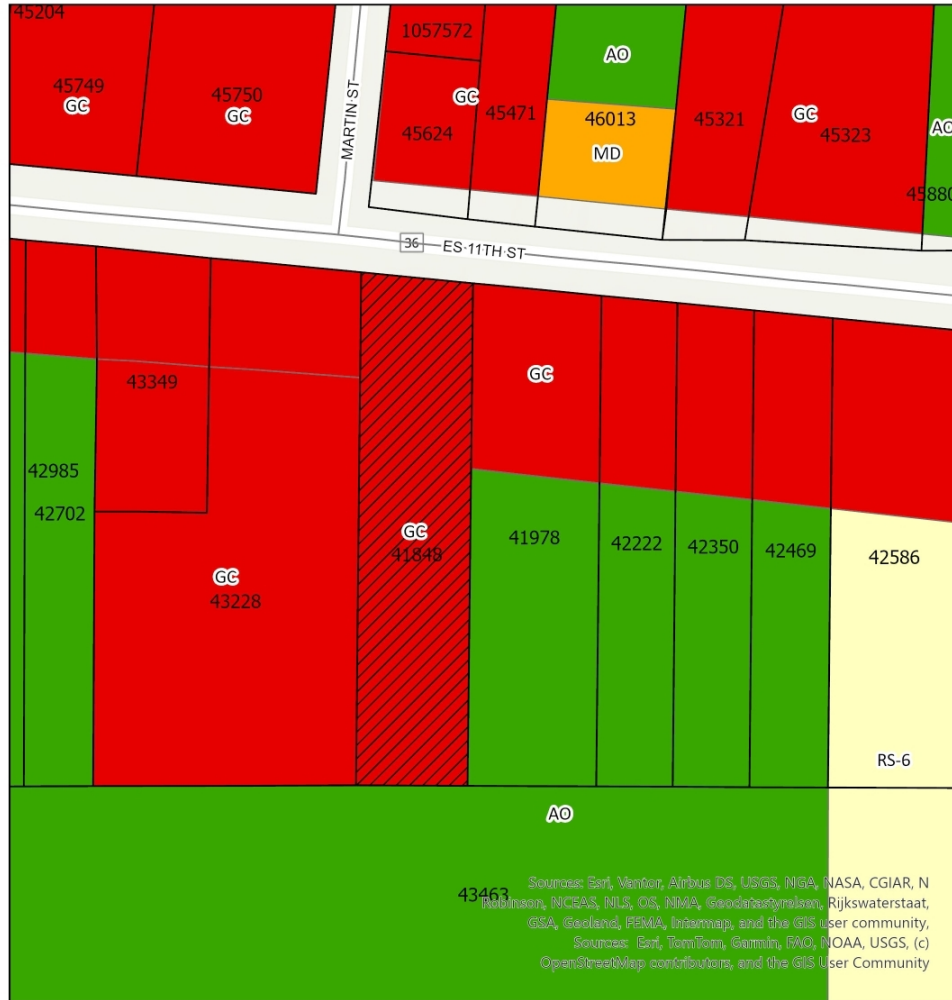
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 CUP-2026-08





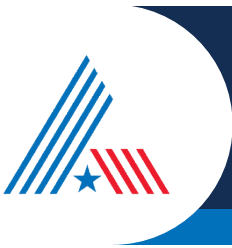
ZONING MAP



- CUP-2026-08
- Zoning Districts**
- AO
- GC
- MD
- RS-6

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





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

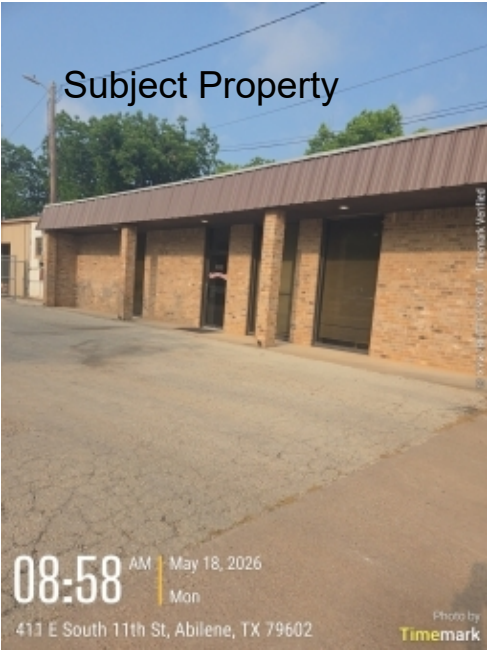
- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only,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





PROPERTY VIEWS

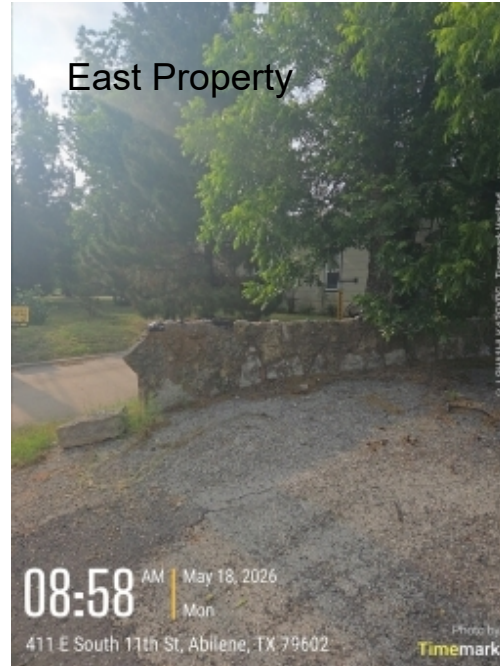
Subject Property



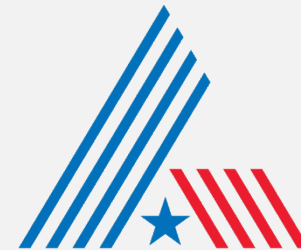
North Property



East Property



West Property



CITY OF
ABILENE
T E X A S



PLAN OF OPERATION

CUP PLAN OF OPERATION

RESIDENTIAL AND COMMERCIAL SALES AND REPAIR OF GARAGE DOORS
AND GATES

HOURS OF OPERATION : 8:00 A.M. – 5:00 PM

DAYS OF OPERATION : MONDAY-FRIDAY

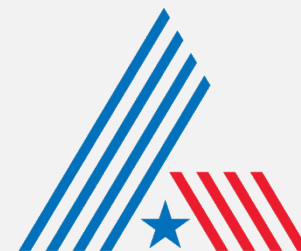
INVENTORY AND VEHICLES KEPT IN BUILDING BEHIND LOCKED GATE

INSTALLATION AND REPAIRS COMPLETED ON CUSTOMER PROPERTY

The Genuine. The Original.



Overhead Door Company of Abilene
411 E. South 11th
Abilene, Tx 79602-4003
325-695-2070



CITY OF
ABILENE
T E X A S



NOTIFICATION AREA MAP



0.04 Miles

- CUP-2026-08
- Notification Area

- 1 - In Favor-
- 0 - Opposed-





FINDINGS AND RECOMMENDATION

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 recommends **approval subject to the Plan of Operation.**





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **9. Ordinance (First Reading) Z-2026-28: Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.36 Acres from Residential Single-Family (RS-6) to General Commercial (GC) Zoning. Located at 1358, 1366, and 1374 Barrow Street. *(Tim Littlejohn)***

GENERAL INFORMATION

The subject properties were annexed into the City limits in 1947 and residentially developed in the 1950's. The properties have been used as residential since. Due to increased traffic volumes and commercial encroachment, the existing single-family residential use is no longer compatible with the surrounding environment.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 4-0.

ATTACHMENTS:

1. Ordinance
2. Staff Report (11)
3. 1357 Sammons St - Favor
4. 3118 College Street
5. 3110 College Street
6. 1390 Barrow Street
7. 1358 Barrow St - Favor
8. 1365 Sammons St - Favor
9. 1365 Sammons St. 05.26
10. 3102 College Street
11. 3125 S 13th St
12. Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

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 25th day of June 2026.

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 May, 2026, 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 9th day of July, 2026, 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 9th day of July, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

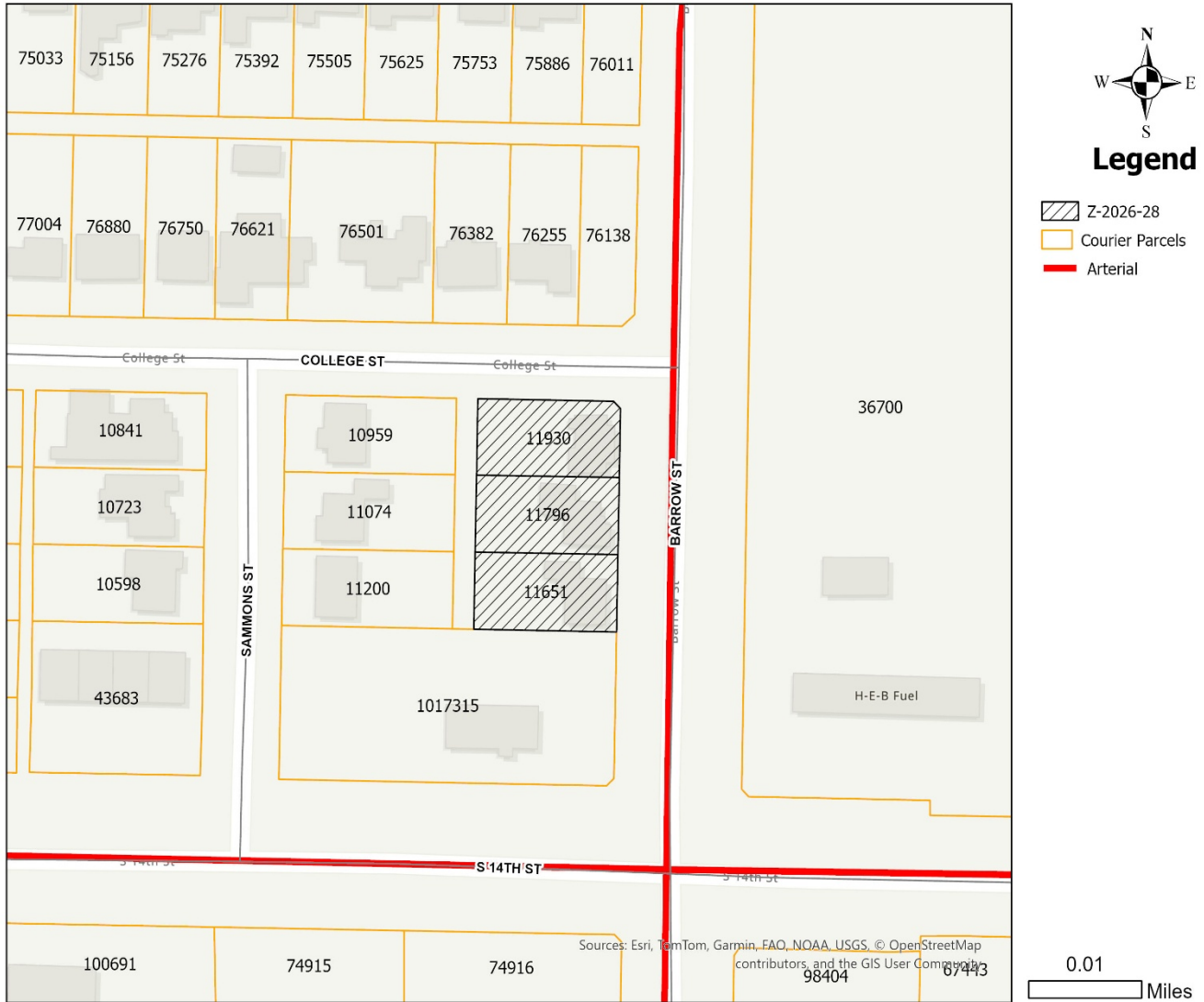
ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 0.36-acres from a Residential Single-Family (RS-6) to General Commercial (GC) zoning.

Legal description being B F Horn Subdivision of Harris, Block E, W 100.20' of Lot 10, Lot 9, and Lot 8, City of Abilene, Taylor County, Texas.

Located at 1358 Barrow St, 1366 Barrow St, and 1374 Barrow St.



END

ZONING CASE

Z-2026-28

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
 City Council 1st Reading: June 25, 2026
 City Council 2nd Reading: July 9, 2026

Applicant

Owner: Alice Velasquez Hangemann, Frances Womack, Teri & Randy Hobbs
 Agent: Jack Oduro

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 0.36 acres from Residential Single Family (RS-6) to General Commercial (GC).

Location

Located at 1358, 1366, and 1374 Barrow St
 Legal description being B F Horn Subdivision of Harris, Block E, W 100.20' of Lot 10, Lot 9, and Lot 8, City of Abilene, Taylor County, Texas.

Background

The subject properties were annexed into the City limits in 1947 and residentially developed in the 1950's. The properties have been used as residential since. Due to increased traffic volumes and commercial encroachment, the existing single-family residential use is no longer compatible with the surrounding environment.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	RS-6	Residential
East	GC	HEB
South	GC	Starbucks
West	RS-6	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 Map, as amended.**

The proposed use is consistent with the Comprehensive Plan as the proposed zoning will place commercial uses right along Barrow St (arterial street).

(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 of General Commercial (GC) is appropriate in the immediate area as this has experienced significant commercial growth.

(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 properties are currently served by existing infrastructure.

(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

- PowerPoint Presentation

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, 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
BEST WINSTON O'NEAL	76621	3134 COLLEGE ST	
BUTT H E GROCERY COMPANY	36700	1365 BARROW ST	
BUTT H E GROCERY COMPANY	36700	2990 S 14TH ST	
BUTT H E GROCERY COMPANY	36700	1389 BARROW ST	
BUTT H E GROCERY COMPANY	36700	3098 S 14TH ST	
BUTT H E GROCERY COMPANY	36700	1345 BARROW ST	
BUTT H E GROCERY COMPANY	36700	1389 B BARROW ST	
BUTT H E GROCERY COMPANY	36700	2998 S 14TH ST	
CITY OF ABILENE	76011	3101 S 13TH ST	
Confidential Owner	11200	1373 SAMMONS ST	
DULIN DIANNE FLINT	10959	1357 SAMMONS ST	F
GGTPF LLC	76382	3118 COLLEGE ST	F
GGTPF LLC	76255	3110 COLLEGE ST	F
GGTPF LLC	75886	3109 S 13TH ST	
GIGATT LLC	1017315	1390 BARROW ST	F
GREEN MORGAN D & CYNTHIA	10598	1374 SAMMONS ST	
HAGEMANN ALICE VELASQUEZ	11930	1358 BARROW ST	F(applicant)
HOBBS RANDY & TERI	11796	1366 BARROW ST	
IMPACT GROUP EQUITIES LLC	75753	3117 S 13TH ST	
KNIFFEN STEPHEN B ETAL	11074	1365 SAMMONS ST	F
LOFTIN JEFF	76501	3126 COLLEGE ST	
MARTINEZ VOLA IRENE MONTEZ	76750	3142 COLLEGE ST	
PARK CHOONG DEUK	76138	3102 COLLEGE ST	F
PATTERSON PAUL F JR	43683	3132 S 14TH ST	

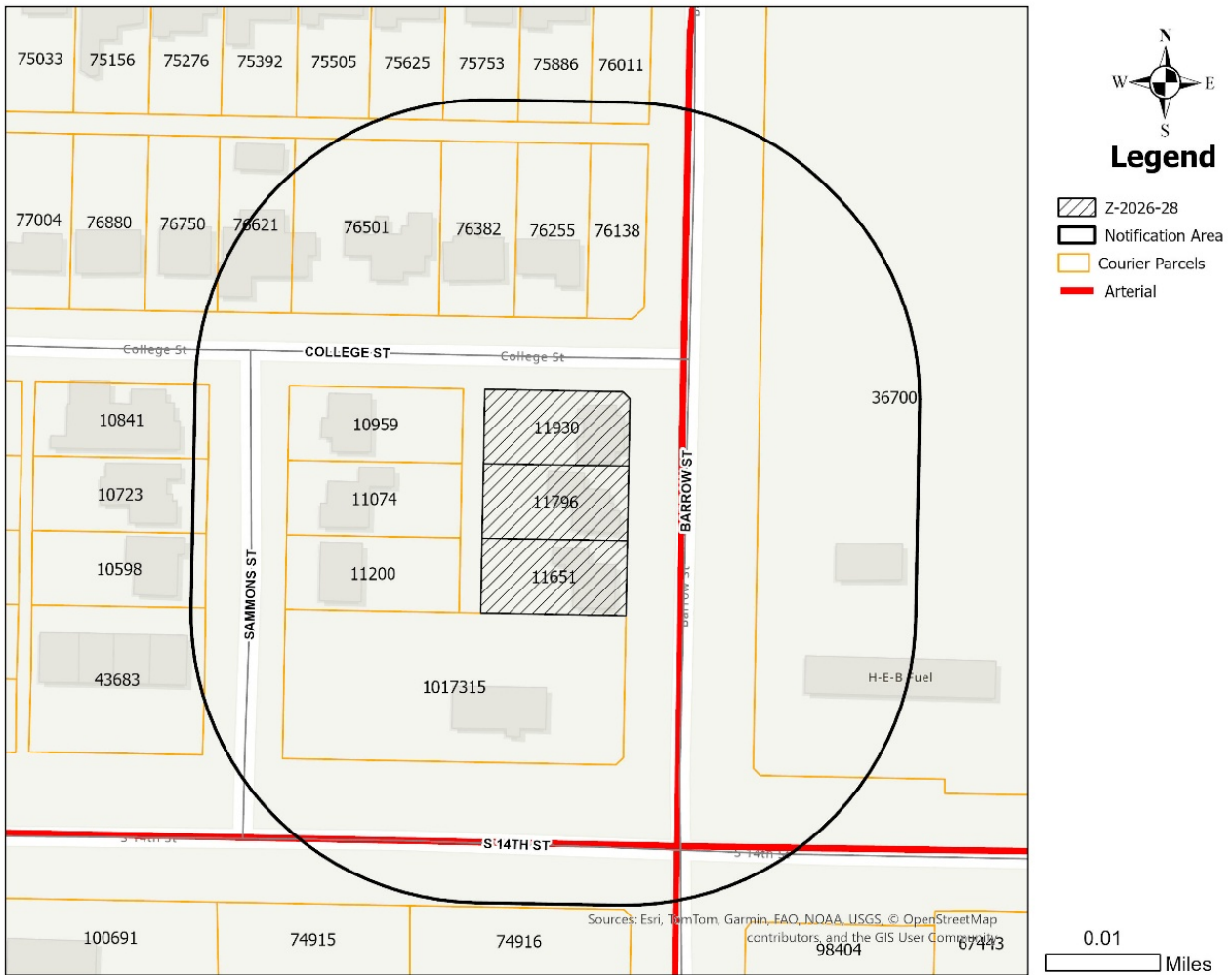
PATTERSON PAUL F JR	43683	3136 S 14TH ST	
PATTERSON PAUL F JR	43683	3134 S 14TH ST	
PATTERSON PAUL F JR	43683	3130 S 14TH ST	
PRUITT STEVE	75625	3125 S 13TH ST	F
TEDFORD MARSHALL & SUSAN E	10841	1358 SAMMONS ST	
TEXAS MIDWEST HOLDINGS LLC	10723	1366 SAMMONS ST	
WOMACK FRANCES	11651	1374 BARROW ST	

PROPERTY ID

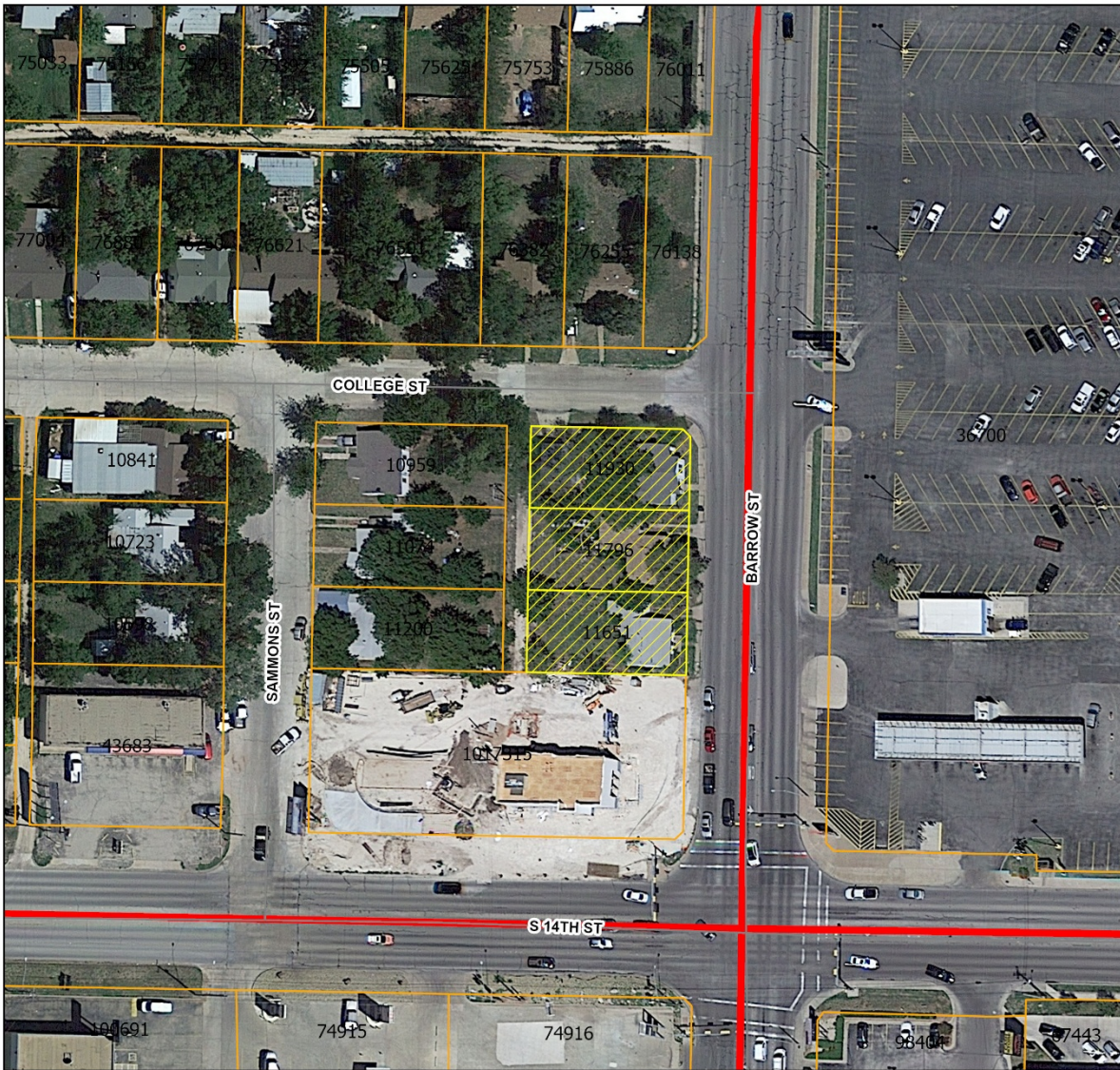
Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
GREEN MORGAN D & CYNTHIA	10598	1374 SAMMONS ST	
TEXAS MIDWEST HOLDINGS LLC	10723	1366 SAMMONS ST	
TEDFORD MARSHALL & SUSAN E	10841	1358 SAMMONS ST	
DULIN DIANNE FLINT	10959	1357 SAMMONS ST	F
KNIFFEN STEPHEN B ETAL	11074	1365 SAMMONS ST	F
Confidential Owner	11200	1373 SAMMONS ST	
WOMACK FRANCES	11651	1374 BARROW ST	
HOBBS RANDY & TERI	11796	1366 BARROW ST	
HAGEMANN ALICE VELASQUEZ	11930	1358 BARROW ST	F
BUTT H E GROCERY COMPANY	36700	1365 BARROW ST	
BUTT H E GROCERY COMPANY	36700	2990 S 14TH ST	
BUTT H E GROCERY COMPANY	36700	1389 BARROW ST	
BUTT H E GROCERY COMPANY	36700	3098 S 14TH ST	
BUTT H E GROCERY COMPANY	36700	1345 BARROW ST	
BUTT H E GROCERY COMPANY	36700	1389 B BARROW ST	
BUTT H E GROCERY COMPANY	36700	2998 S 14TH ST	
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PATTERSON PAUL F JR	43683	3134 S 14TH ST	
PATTERSON PAUL F JR	43683	3130 S 14TH ST	
PRUITT STEVE	75625	3125 S 13TH ST	F
IMPACT GROUP EQUITIES LLC	75753	3117 S 13TH ST	
GGTPF LLC	75886	3109 S 13TH ST	
CITY OF ABILENE	76011	3101 S 13TH ST	
PARK CHOONG DEUK	76138	3102 COLLEGE ST	F
GGTPF LLC	76255	3110 COLLEGE ST	F
GGTPF LLC	76382	3118 COLLEGE ST	F
LOFTIN JEFF	76501	3126 COLLEGE ST	
BEST WINSTON O'NEAL	76621	3134 COLLEGE ST	
MARTINEZ VOLA IRENE MONTEZ	76750	3142 COLLEGE ST	
GIGATT LLC	1017315	1390 BARROW ST	F

NOTIFICATION MAP



LOCATION MAP

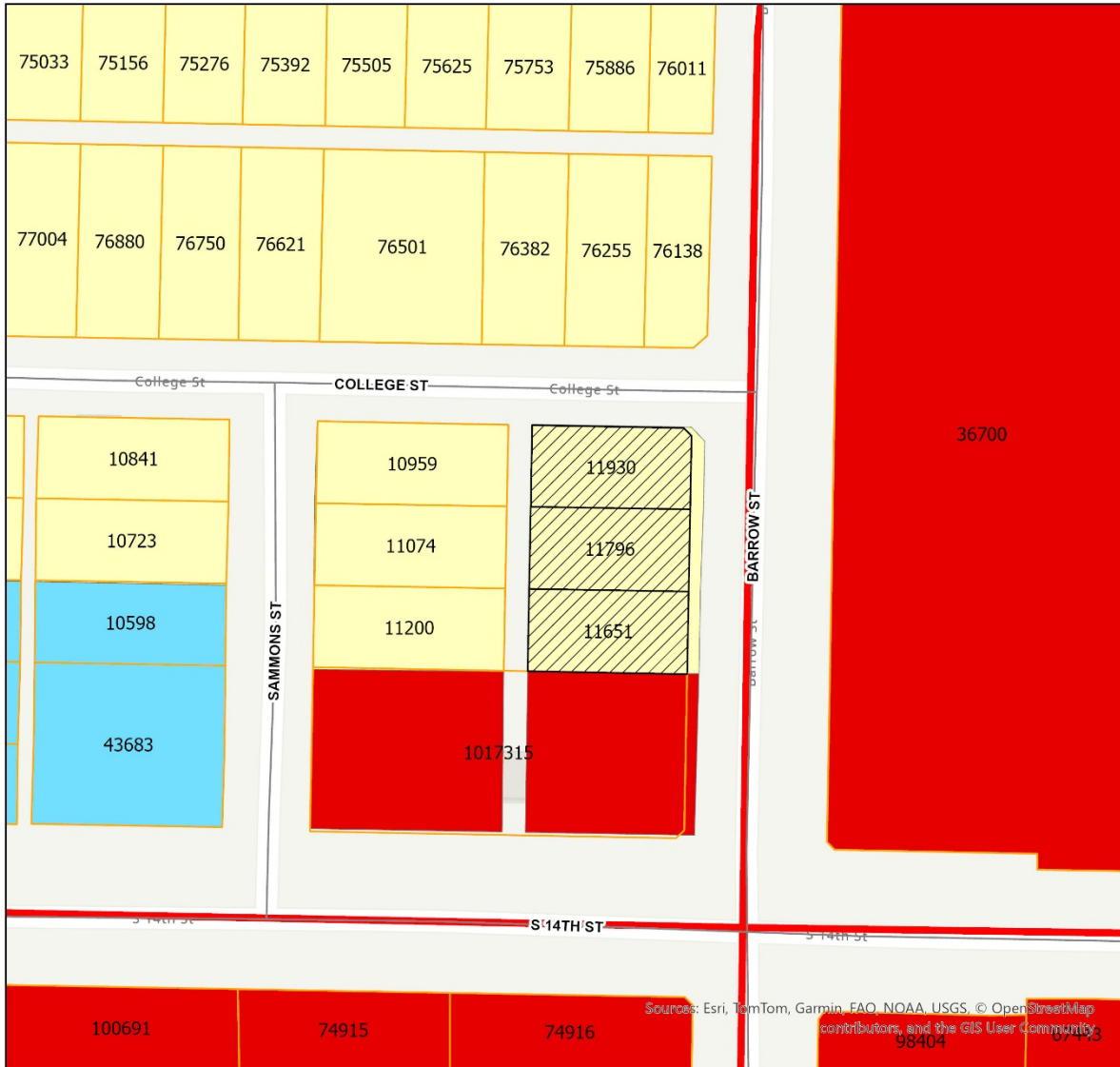


Legend







- Z-2026-28
- Courier Parcels
- Arterial

0.01 Miles

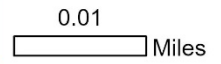
ZONING MAP



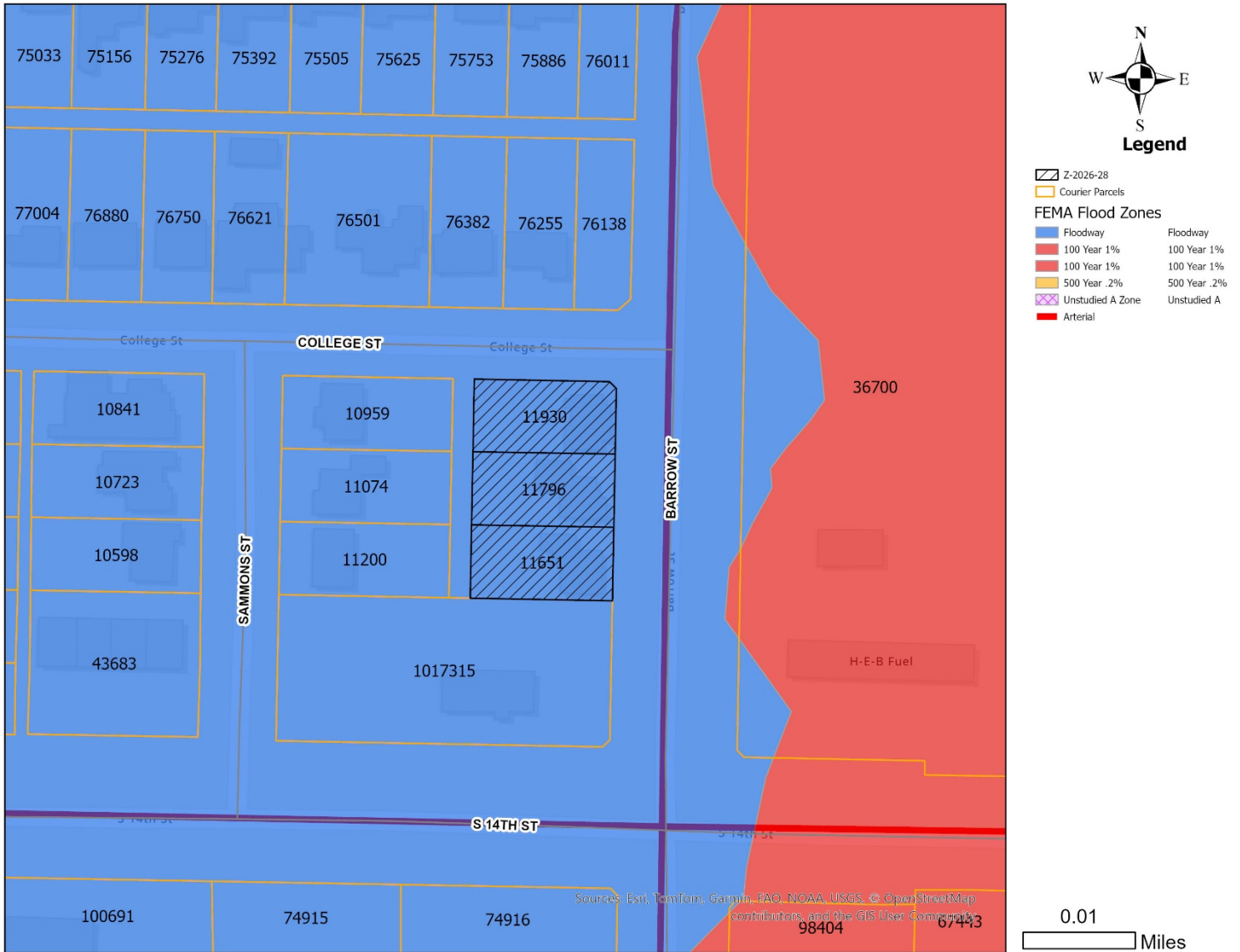
Legend

-  Z-2026-28
-  Courier Parcels
-  GC (General Commercial)
-  O (Office)
-  RS (Residential - Single Family)
-  Arterial

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



FLOOD MAP



ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

Alternatively, you may email your response to planning@abilenetx.gov.

APR 29 PM 2:32

Requestor's Property Zoning:	RS-6	Your Name:	DULIN DIANNE FLINT	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	GC	Your Address:	1357 SAMMONS ST	
Requestor's Parcel ID:	11930	Your Parcel ID:	10959	I am opposed <input type="checkbox"/>
	11796			
	11651			

Signature: *Dianne J. Dulin*

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

**Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.**

MAY 28 AM 9:00

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning: RS-6 Your Name: GGTPF LLC I am in favor

Requestor's Proposed Zoning: GC Your Address: 3118 COLLEGE ST

Requestor's Parcel ID: 11930 Your Parcel ID: 76382 I am opposed

11796
11651

Signature: Mi Roberts

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the source below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

MAY 23 AM 9:00

Alternatively, you may email your response to planning@abilenetx.gov.

I am in favor

I am opposed

Requestor's Property Zoning: RS-6

Your Name: GGTPF LLC

Requestor's Proposed Zoning: GC

Your Address: 3110 COLLEGE ST

Requestor's Parcel ID: 11930
11796
11651

Your Parcel ID: 76255

Signature: *MLK* *PKB*

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

JIM SAMPSON

Alternatively, you may email your response to planning@ablienetx.gov.

Requestor's Property Zoning: RS-6 Your Name: GIGATT LLC I am in favor

Requestor's Proposed Zoning: GC Your Address: 1390 BARROW ST

Requestor's Parcel ID: 11930 Your Parcel ID: 1017315 I am opposed
11796
11651

Signature: *Jim Sampson*, MANAGING MEMBER GIGATT LLC



HAGEMANN ALICE VELASQUEZ
624 WOODACRE DR
GRAND PRAIRIE, TX 75052-6142

NOTICE OF PUBLIC HEARING

RE: Zoning Application Number Z-2026-28

April 15, 2026

The Planning and Zoning Commission of the City of Abilene will hold a public hearing on **May 5, 2026, at 1:30 PM** in the Council Chambers. The Council Chambers are located on the second floor of City Hall at 555 Walnut Street in Abilene, Texas. The owner or the owner's agent is requesting to change the zoning of approximately 1.21 acres from Residential Single-Family (RS-6) to General Commercial (GC). Located at 1358, 1366, and 1374 Barrow St. Legal description being B F Horn Subdivision of Harris, Block E, Lot 10, Lot W 100.20' of Lot 9, and Lot 8, City of Abilene, Taylor County, Texas.

This public hearing is open to any interested person. Your opinions, objections, and comments relative to this may be expressed in writing or in person at the public hearing. The City of Abilene encourages you to participate in this process. You will find a response form at the bottom of this letter that you may complete, cut off, and mail to the City. All written responses must be signed by the respondent per State law.

The area highlighted on the map by striped lines is being considered for a zone change. The solid boundary line surrounding the highlighted area is a state-mandated 200' notification area. You are receiving this letter because your address is located within this notification area.

If approved by the Planning and Zoning Commission, or if denied and promptly appealed to Abilene's City Council, this case will be heard by City Council for a final reading with a public hearing on **June 11, 2026, at 8:30 AM** in the Council Chambers.

If you have any questions, please contact Clarissa Ivey at 325-676-6237 or by email address planning@abilenetx.gov

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

**Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.**

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	RS-6	Your Name:	HAGEMANN ALICE VELASQUEZ	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	GC	Your Address:	1358 BARROW ST	
Requestor's Parcel ID:	11930 11796 11651	Your Parcel ID:	11930	I am opposed <input type="checkbox"/>

Signature: Alice V. Hagemann

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

APR 29 AM 10:25

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	RS-6	Your Name:	KNIFFEN STEPHEN B	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	GC	Your Address:	ETAL 1365 SAMMONS ST	
Requestor's Parcel ID:	11930	Your Parcel ID:	11074	I am opposed <input type="checkbox"/>
	11796			
	11651			

Signature: Stephen B Kniffen

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

NOV 25 PM 12:09

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	RS-6	Your Name:	KNIFFEN STEPHEN B	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	GC	Your Address:	ETAL 1365 SAMMONS ST	
Requestor's Parcel ID:	11930	Your Parcel ID:	11074	I am opposed <input type="checkbox"/>
	11796			
	11651			

Signature: *Stephen Kniffen*

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

NOV 28 AM 9:00

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning: RS-6 Your Name: PARK CHOONG DEUK I am in favor

Requestor's Proposed Zoning: GC Your Address: 3102 COLLEGE ST

Requestor's Parcel ID: 11930 Your Parcel ID: 76138 I am opposed

11796
11651

Signature: _____



ZONING NOTIFICATION REC. USE FOLDER CASE: Z-2026-28

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

**Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.**

JUN 2AM 8:01

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	RS-6	Your Name:	PRUITT STEVE	I am in favor <input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	GC	Your Address:	3125 S 13TH ST	
Requestor's Parcel ID:	11930	Your Parcel ID:	75625	I am opposed <input type="checkbox"/>
	11796			
	11651			

Signature: Steve Pruitt



REZONE REQUEST

Case: Z-2026-28

Owner: Alice Velasquez Hangemann, Frances Womack, Teri & Randy Hobbs

Agent: Jack Oduro

Request: Change the zoning of approximately 0.36 acres from Residential Single Family (RS-6) to General Commercial (GC).

Location: 1358, 1366, and 1374 Barrow St

Notification: 8 in Favor, 0 in Opposition

Planning & Zoning: June 2, 2026

Council Hearing: June 25, 2026
July 9, 2026






AERIAL LOCATION MAP



Legend

-  Z-2026-28
-  Courier Parcels
-  Arterial

0.01 Miles



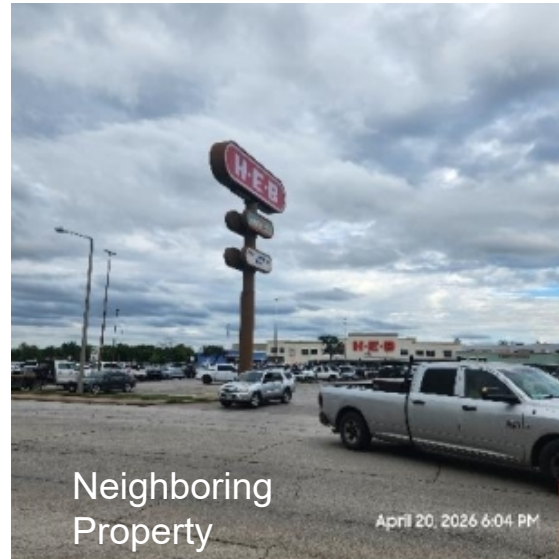


PROPERTY VIEWS





NEIGHBORING VIEWS





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 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





NOTIFICATION AREA MAP



Legend

- Z-2026-28
- Notification Area
- Courier Parcels
- Arterial

- 8 - in Favor - ●
- 0 - in Opposition - ●

0.01 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 recommends **approval**.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services

ITEM: 10. Ordinance (First Reading) Z-2026-30: 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-149). Specifically, to Allow Residential Medium Density (MD) and Patio Home (PH) Uses. Located at 3626 Vogel Avenue. (Tim Littlejohn)

GENERAL INFORMATION

The purpose of Planned Development District 149 (PDD-149) is to allow for general retail development and related activities, including self-storage warehousing. The proposed amendment to the PDD to allow residential development at a higher density is consistent with planning principles and supports the creation of a transitional neighborhood between the existing commercial uses and the single-family residential development located to the east.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends **approval with the following conditions:**

- The garage setback is kept at 20 feet minimum as the 2 off-street parking spaces are required with minimum dimensions of 9 feet wide by 18 feet deep.
- Keep the Type A buffer between Medium Density (MD) zoning and any lower intensity residential district.
- Sidewalks are required to promote walkability.

ATTACHMENTS:

1. revised ordinance (mt)
2. Staff Report
3. Redline.
4. Concept Plan
5. Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CONCERNING PDD-149 AND ORDINANCE 16-2015; 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 25th day of June 2026.

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 May, 2026, 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 9th day of July, 2026, 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 9th day of July, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

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 Comprehensive Zoning Ordinance 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, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the regulations within the Planned Development District boundaries, as hereinafter set forth in PART 6 and 7. 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.

PART 5: *Legal Description*.

BEING 6.028 acres of land out of a tracts of land, formerly the CONTINUATION OF NORTHWOOD ADDITION to the City of Abilene, Taylor County, Texas as shown on the plat thereof recorded in Plat Cabinet 2, Slide 83-A, Plat Records, Taylor County, Texas, and a replat of Lot 22, Block C of said CONTINUATION OF NORTHWOOD ADDITION, both platted tracts previously vacated by City of Abilene Resolution No. 2125-16 (1986) and Resolution No. 2125- 14 (1986), respectively. Said 6.028 acres of land being more particularly described as follows:

BEGINNING at a found 3/8-inch rebar rod in concrete marking the intersection of the southerly right-of-way line of Interstate Highway 20 (IH20) with the west right-of-way line of Bel Air Drive (60 feet wide) which is shown on said plat of said CONTINUATION OF NORTHWOOD ADDITION to said City of Abilene, and said point being the beginning of a curve to the right in said Bel Air Drive right-of-way line, with said curve having a radius of 70.00 feet, a delta angle of 43°18'35", an arc length of 52.91 feet, and subtended by a chord with bearing and length of S20°27'25"E 51.66 feet;

THENCE along said westerly right-of-way line of Bel Air Drive, said curve to the right, a distance of 52.91 feet (said arc length) to a found 3/8-inch rebar rod in concrete marking the end of said curve;

THENCE S01°06'23"W 461.04 feet, continuing along said westerly right-of-way line, to a found 1/2-inch rebar rod with cap stamped "4130" marking the most easterly southeast corner of this described tract, same being the northeast corner of Lot 8 of said Block B of said CONTINUATION OF NORTHWOOD ADDITION;

THENCE N88°51'24"W 136.66 feet along the north line of said Lot 8 to a found 5/8-inch rebar rod marking the northwest corner of said Lot 8 and being an interior corner of this described tract;

THENCE S27°27'45"W 37.75 feet along the westerly line of said Lot 8 to a found 1/2-inch rebar rod marking the common corner of said Lot 8 and Lot 9 of said Block B;

THENCE S31°57'53"W 292.70 feet along the westerly lines of said Lot 9 and of Lots 10-12 of said Block B to a found 5/8-inch rebar rod marking the southwest corner of said Lot 12 and the northwest corner of Lot 13 of said Block B;

THENCE S16°11'57"W 102.56 feet along the westerly line of said Lot 13 to a found 1/2-inch capped rebar rod in the north right-of-way line of Vogel Street (60 feet wide) marking the southwest corner of said Lot 13 and being the most southerly southeast corner of this described tract;

ORDINANCE NO. _____

THENCE N89°15'10"W 173.42 feet along said north right-of-way line to a found "X" in concrete near the center of a concrete drainage flume, and said "X" in concrete marking the southwest corner of this described tract and the southeast corner of Lot 1, Block A, SITZES BROTHERS ADDITION, City of Abilene, Taylor County, Texas as shown on the plat thereof recorded in Plat Cabinet 4, Slide 260 of said plat records;
THENCE N00°50'26"W 438.84 feet along the west line of this described tract, same being the east line of said Lot 1, Block A and the approximate center of said concrete drainage flume, to a found "X" in concrete;
THENCE N43°04'58"E 98.96 feet along said west line of this described tract, same being said east line of said Lot 1, Block A, and along the approximate center of said concrete drainage flume to a found "X" in concrete in said southerly right-of-way line of IH20 marking the northwest corner of this described tract and the northeast corner of said Lot 1, Block A, and said point marking the beginning of a curve to the left in said southerly right-of-way line, with said curve having a radius of 1251.90 feet, a delta angle of 28°44'31", an arc length of 628.00 feet, and subtended by a chord with bearing and length of N56°02'11"E 621.44 feet;
THENCE Northeasterly along said curve to the left, and said southerly right-of-way line, and the northerly line of this described tract, a distance of 628.00 feet (said arc length) to said POINT OF BEGINNING and containing 6.028 acres of land or 262,599 square feet, more or less.

PART 6: *Purpose.* The purpose of the Planned Development Amendment is to modify the existing PD to allow residential development.

Amendment 1: Allow development of residential medium density (Tract 1) along Vogel Street and patio homes along Bel Air Drive (Tract 2), illustrated in the concept plan Exhibit "B".

PART 7: *Specific Modifications.* This Planned Development shall be subject to the requirements of the Original Ordinance (16-2015) except as modified below:

Amendment 1:

Tract 1 – This Planned Development District shall be subject to the requirements of the Residential Medium Density (MD) zoning district.

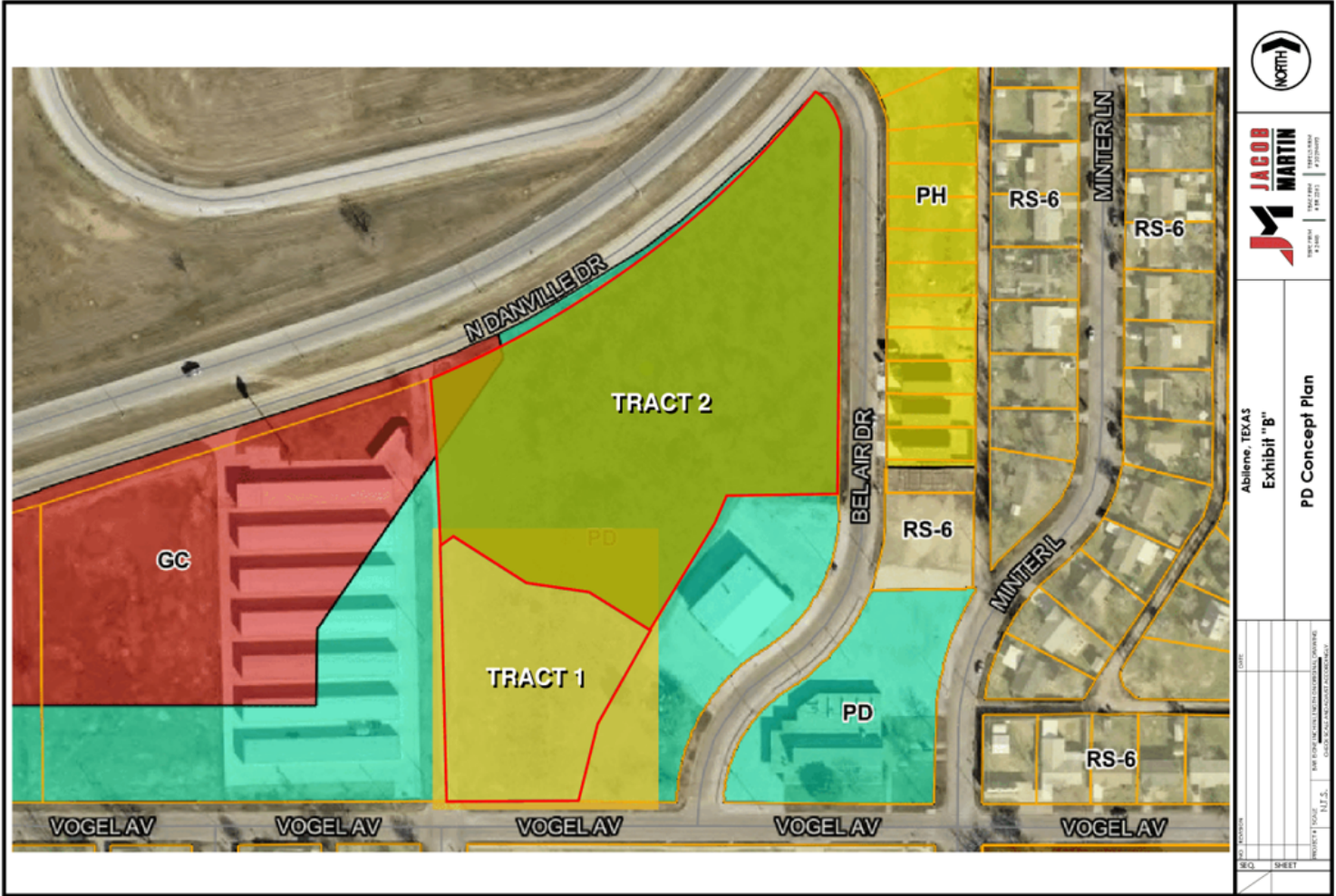
Tract 2 – This Planned Development District shall be subject to the requirements of the Patio Home (PH) zoning district, except as modified below:

- Minimum Lot Area: 3,000 square feet
- Minimum Lot Width: 35 feet
- Minimum Lot Depth: 95 feet
- Minimum Front Setback: 15 feet
- Minimum Garage Setback: 20 feet
- Minimum Side Setback: 5 feet

“Type A’ buffer between Medium Density zoning and any lower intensity residential district.

Sidewalks required within the Planned Development to promote walkability.

ORDINANCE NO. _____
EXHIBIT B



END

ZONING CASE

Z-2026-30

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
City Council 1st Reading: June 25, 2026
City Council 2nd Reading: July 9, 2026

Applicant

Owner: Chase Kiser
Agent: Jacob & Martin LLC

Case Manager

Clarissa Ivey – Planner

Request

Amend the terms of Planned Development District 149 (PDD-149) to allow residential Medium Density (MD) and Patio Home (PH) uses.

Location

3626 Vogel Avenue.

Legal Description Being 6.028 Acres Out of a Tract of Land, Formerly the Continuation of Northwood Addition, Abilene, Taylor County, Texas.

Background

The purpose of Planned Development District 149 (PDD-149) is to allow for general retail development and related activities, including self-storage warehousing. The proposed amendment to the PDD to allow residential development at a higher density is consistent with planning principles and supports the creation of a transitional neighborhood between the existing commercial uses and the single-family residential development located to the east.

Specific Modifications

Tract 1 – This Planned Development District shall be subject to the requirements of the Residential Medium Density (MD) zoning district, except as modified below:

- Standard Buffers not required

Tract 2 – This Planned Development District shall be subject to the requirements of the Patio Home (PH) zoning district, except as modified below:

- Minimum Lot Area: 3,000 square feet
- Minimum Lot Width: 35 feet
- Minimum Lot Depth: 95 feet
- Minimum Front Setback to Include Garage Setback: 15 feet
- Minimum Side Setback: 5 feet

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North		Interstate
East	PDD -149/PH	Church / Residential
South	RS-6	School
West	PDD -149/GC	Self-Storage

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 amendment would be consistent with the Comprehensive Plan and Future Land Use Map.

(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 change is appropriate in the immediate area, as the proposed modification to the PDD uses moderate to high density residential as a transition between single family and commercial to the west.

(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.

Services and utilities are available. However, this property will be subject to plat review, and 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 and Zoning Commission Recommendation

P&Z recommends **approval with the following conditions:**

- The garage setback is kept at 20 feet minimum as the 2 off-street parking spaces are required with minimum dimensions of 9 feet wide by 18 feet deep.
- Keep the Type A buffer between Medium Density (MD) zoning and any lower intensity residential district.
- Sidewalks are required to promote walkability.

Attachments

- PowerPoint Presentation
- Concept Plan
- Original Ordinance

Notification

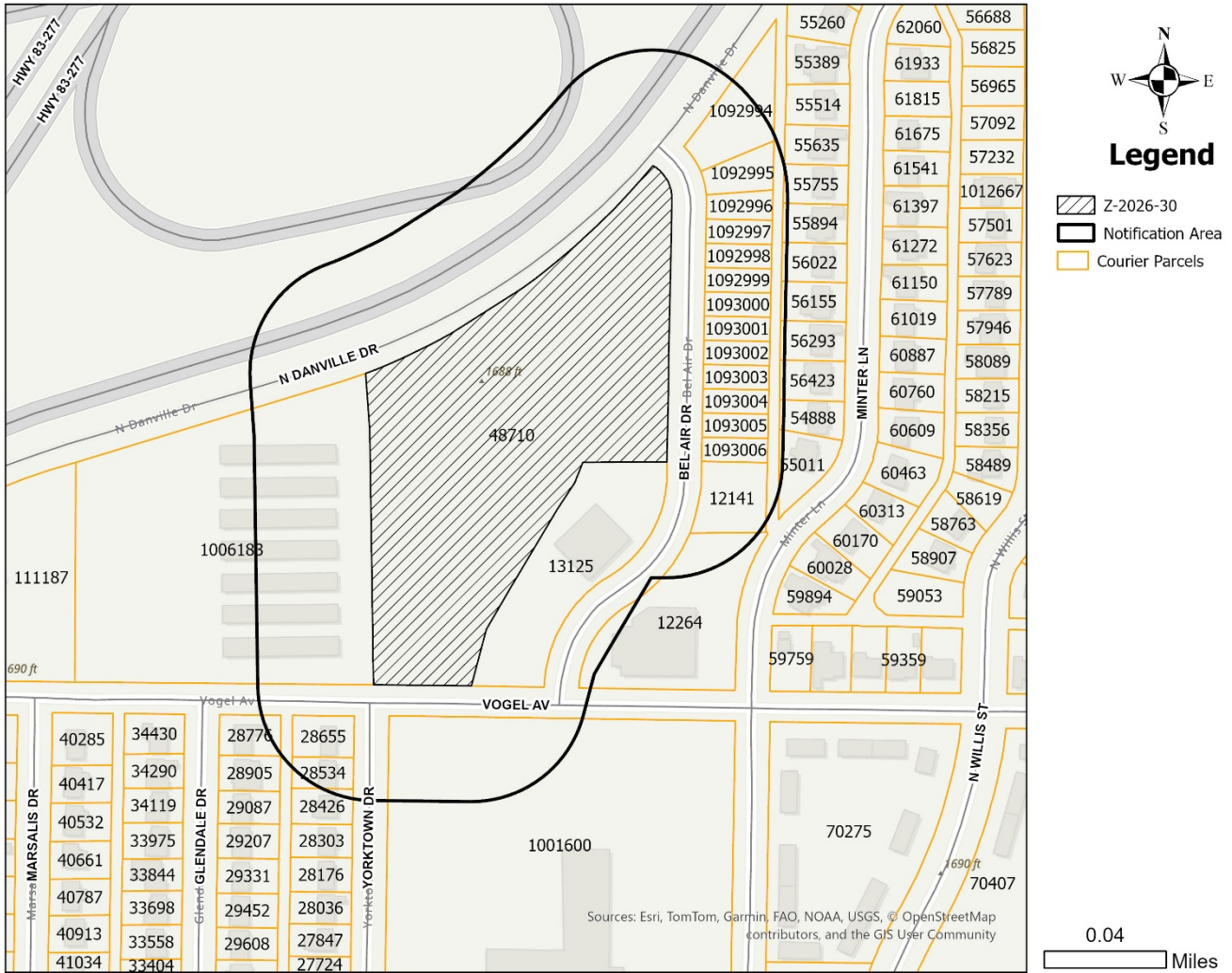
Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, via standard mail to the owners of property within a 200-foot radius of the subject street right of way. The property owners and associated parcel identification numbers are identified below:

PROPERTY OWNER			Legend: O - Opposed, F - In Favor
PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
ABILENE CUSTOM HOMES LLC	1092994	2577 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092994	2573 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093006		
ABILENE CUSTOM HOMES LLC	1093003	2547 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093002	2551 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093001	2553 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093000	2557 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092999	2561 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092998	2563 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092997	2565 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092996	2569 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1092995	2571 BEL AIR DR	
ABILENE IND SCHOOL DIST	1001600	3600 SHERRY LN	
BELYEU TERESA A WENDT	28776	2497 GLENDALE DR	
CARREON ROXANNE	28534	2490 YORKTOWN DR	
CHAPPELL SHERYL DAWN	55755	2626 MINTER LN	
CORTEZ ALEJANDRO	28426	2482 YORKTOWN DR	
DAVILA MARGARET	56423	2550 MINTER LN	
DEMO DOG HOLDINGS LLC	28655	2498 YORKTOWN DR	
FAUGHT JOHNNY MARK	56022	2610 MINTER LN	
GEISLER MICHAEL A & CAROL L	56155	2602 MINTER LN	
KIEFER KATHLEEN I	55011	2534 MINTER LN	
MC COLLUM DEMETRA JEAN	55894	2618 MINTER LN	
MINTER LANE CHURCH	12141	2525 BEL AIR DR	
MINTER LANE CHURCH	12264	2502 MINTER LN	
MINTER LANE CHURCH	13125	2510 BEL AIR DR	
MONTOYA CARMEN GOMEZ	1093005	2541 BEL AIR DR	
NYIRAMAHIRWE VESTINE	56293	2558 MINTER LN	
SITZES NORTHWEST LP	1006183	2593 N DANVILLE DR	
SITZES NORTHWEST LP	48710	3626 VOGEL AV	
STOKES DALE G & SPRUILL ADELL	54888	2542 MINTER LN	
WOODARD STEPHEN	1093004	2545 BEL AIR DR	

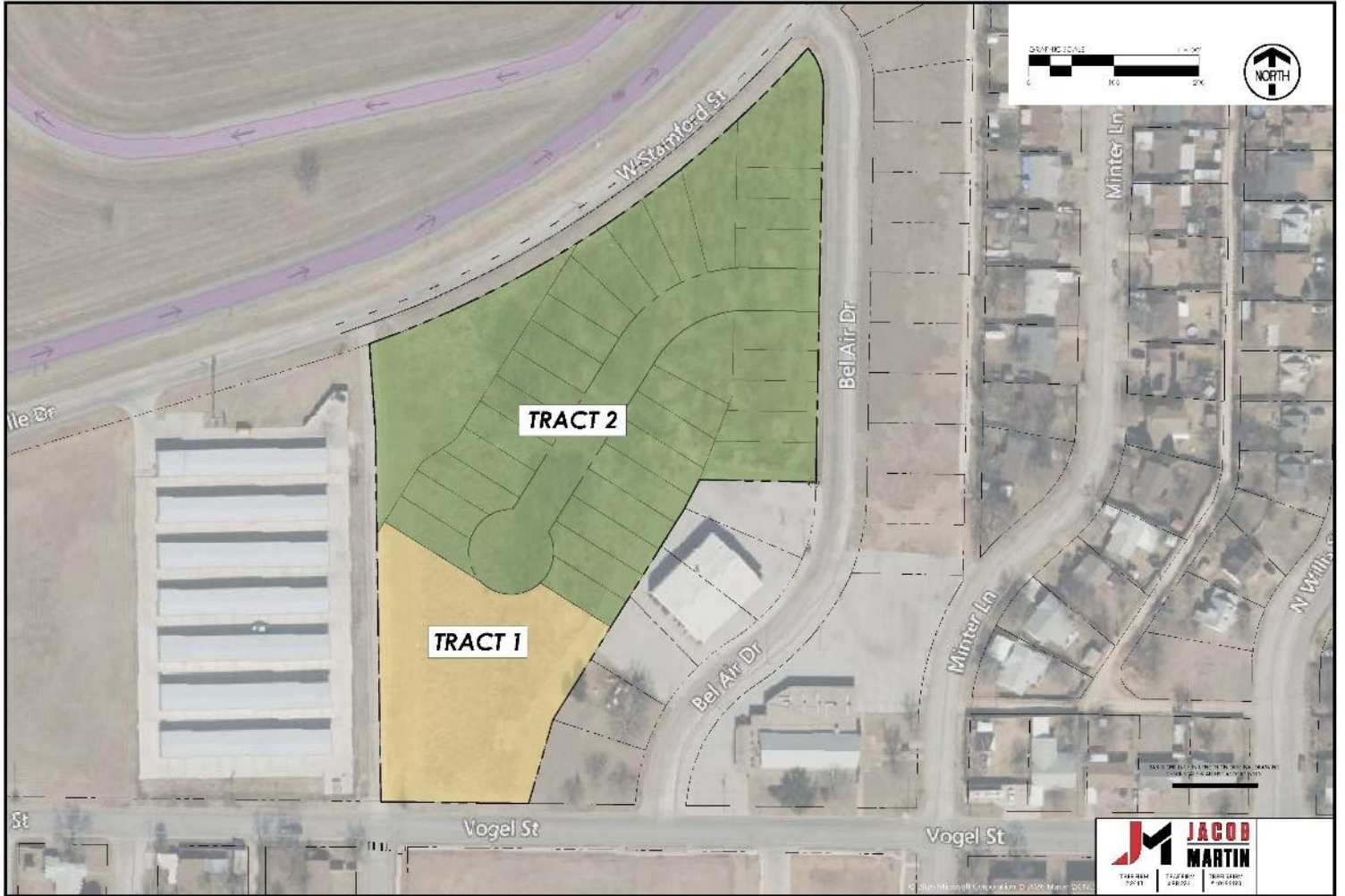
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ABILENE CUSTOM HOMES LLC	1092999	2561 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093000	2557 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093001	2553 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093002	2551 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093003	2547 BEL AIR DR	
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MONTOYA CARMEN GOMEZ	1093005	2541 BEL AIR DR	
ABILENE CUSTOM HOMES LLC	1093006		

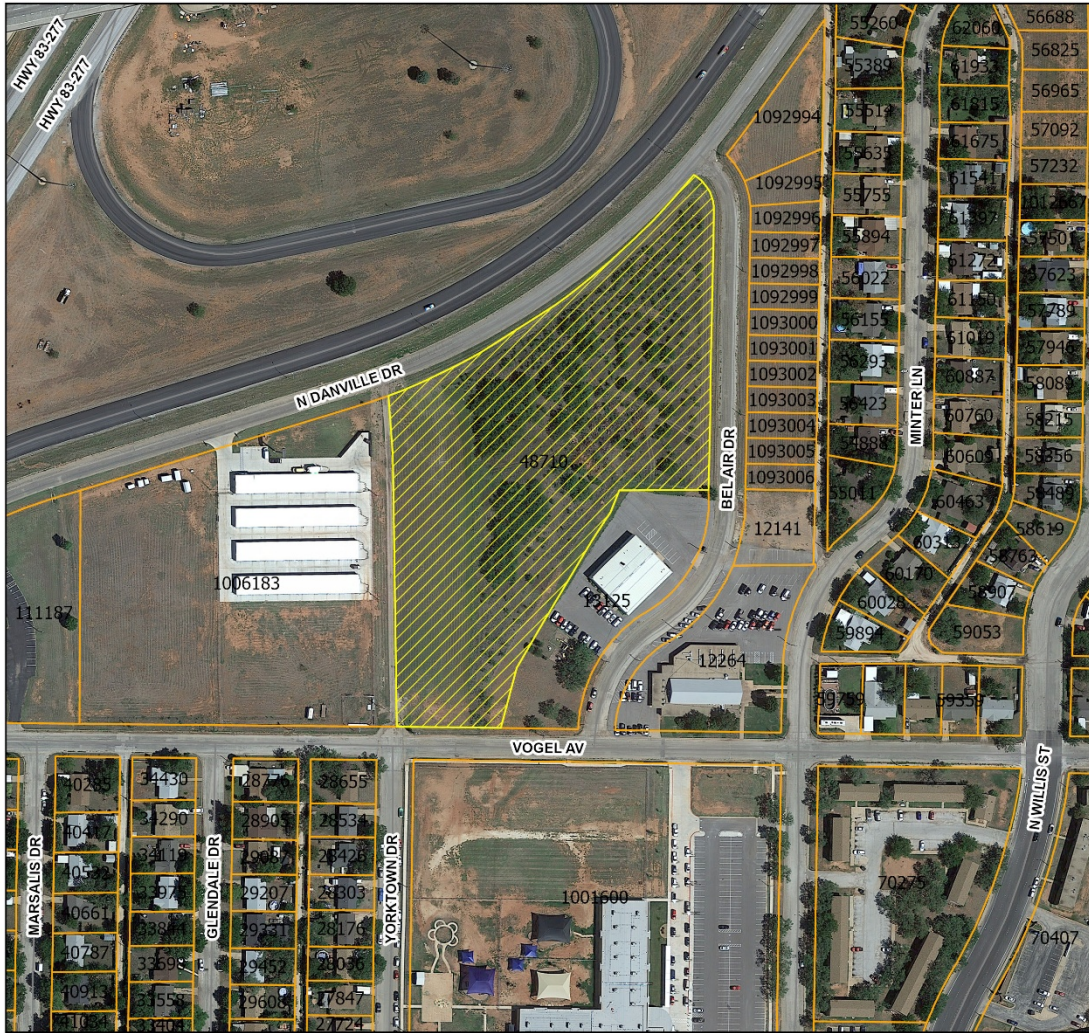
Notification Map



Concept Plan



Location Map

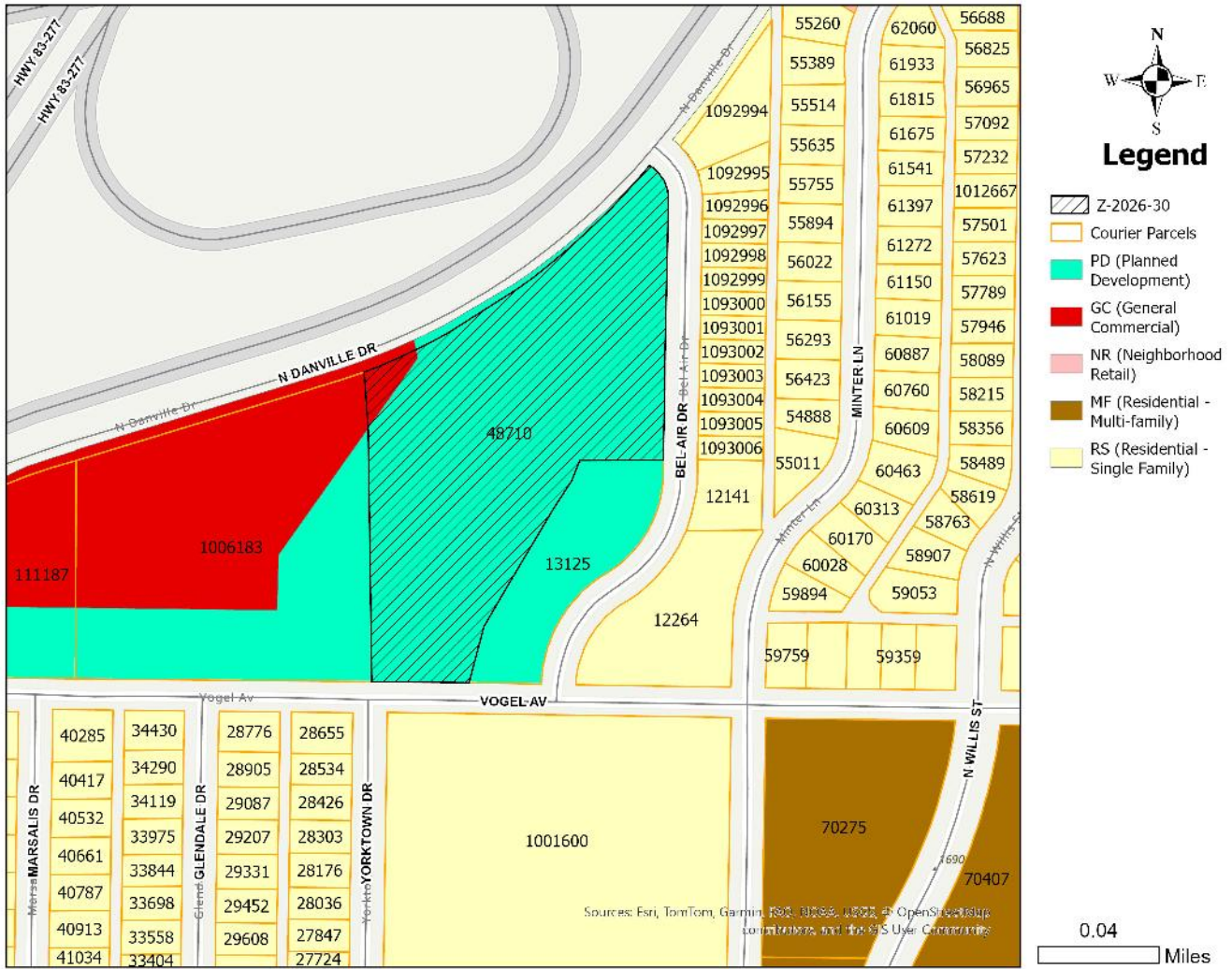


Legend

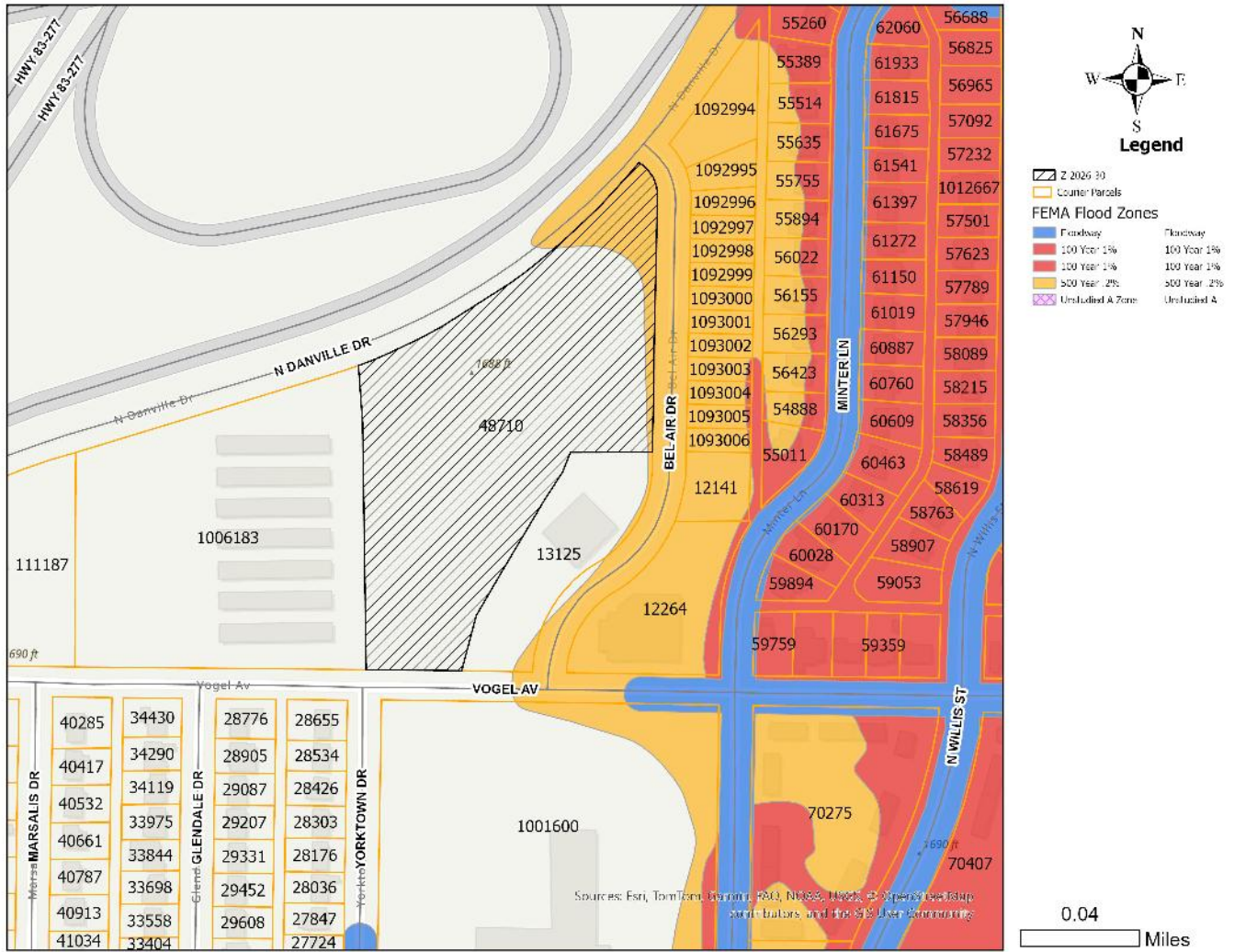
- Z-2026-30
- Courier Parcels

0.04
 Miles

ZONING MAP



Flood Map



ORDINANCE NO. 16-2015

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-149 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 I: That Chapter 23, part 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 26th day of March A.D. 2015.

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 13th day of February . 2015, 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 p.m., on the day of April, 2015, 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 9th day of April, A.D. 2015.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 16-2015

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 Comprehensive Zoning Ordinance 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, Abilene Municipal Code, part 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 RS-6 (Single-Family Residential) to PD (Planned Development) zoning.

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.

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for general retail development and related activities to include self-storage warehousing.

Add: As well to allow development of residential medium density (Tract 1) along Vogel Street and patio homes along Bel Air Drive (Tract 2), illustrated in the concept plan Exhibit “B”.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the GR (General Retail) zoning district, except as modified below:

- 1) **ADDITIONAL PERMITTED USE:** The 'storage - self-service units' use shall be permitted.

Add:

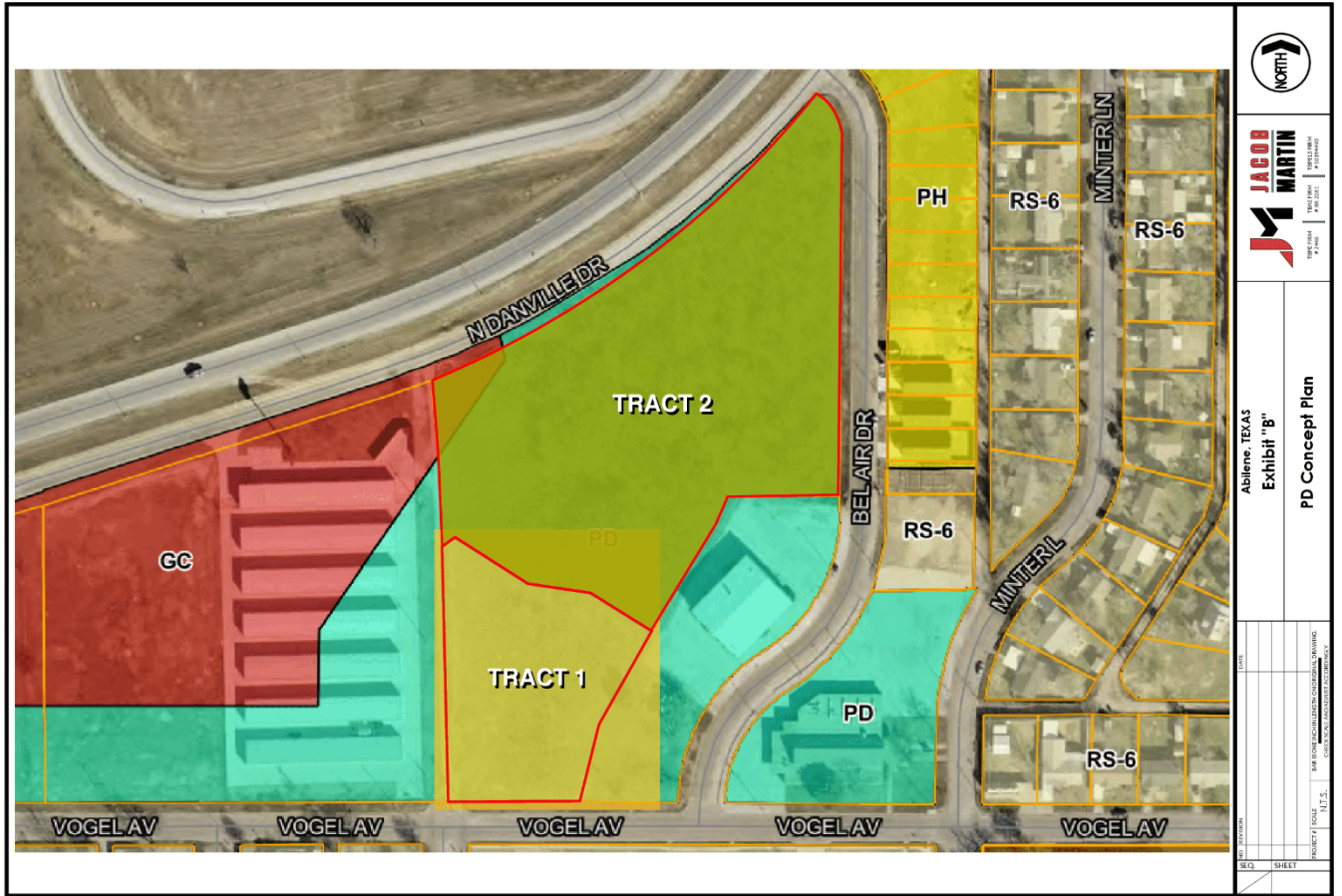
Tract 1 – This Planned Development District shall be subject to the requirements of the Residential Medium Density (MD) zoning district, except as modified below:

- Standard Bu3ers not Required

Tract 2 – This Planned Development District shall be subject to the requirements of the Patio Home (PH) zoning district, except as modified below:

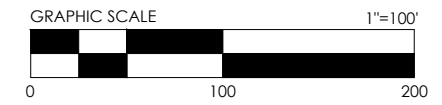
- Minimum Lot Area: 3,000 square feet
- Minimum Lot Width: 35 feet
- Minimum Lot Depth: 95 feet
- Minimum Front Setback to Include Garage Setback: 15 feet
- Minimum Side Setback: 5 feet

EXHIBIT "B"



-END-

X:\CM\CO_Custom_Homes\26129 - Bel Air Residential Development - KD Custom Homes\Drafting\Basemaps\Sitebase\26129 - Sitebase - Public Improvements.dwg
Saved By: dbutlerfas Save Time: 5/11/2026 4:03 PM Plotted by: damon butlerfas Plot Date: 5/11/2026 4:40 PM



TRACT 2

TRACT 1

BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING.
CHECK SCALE & ADJUST ACCORDINGLY.



TBPE FIRM # 2448 | TBAE FIRM # BR 2261 | TPELS FIRM # 10194493



REZONE REQUEST

Case: Z-2026-30

Owner: Chase Kiser

Agent: Jacob & Martin LLC

Request: Amend the terms of Planned Development District 149 (PDD-149) to allow residential Medium Density (MD) and Patio Home (PH) uses

Location: 3626 Vogel Ave

Notification: 0 in Favor, 0 in Opposition

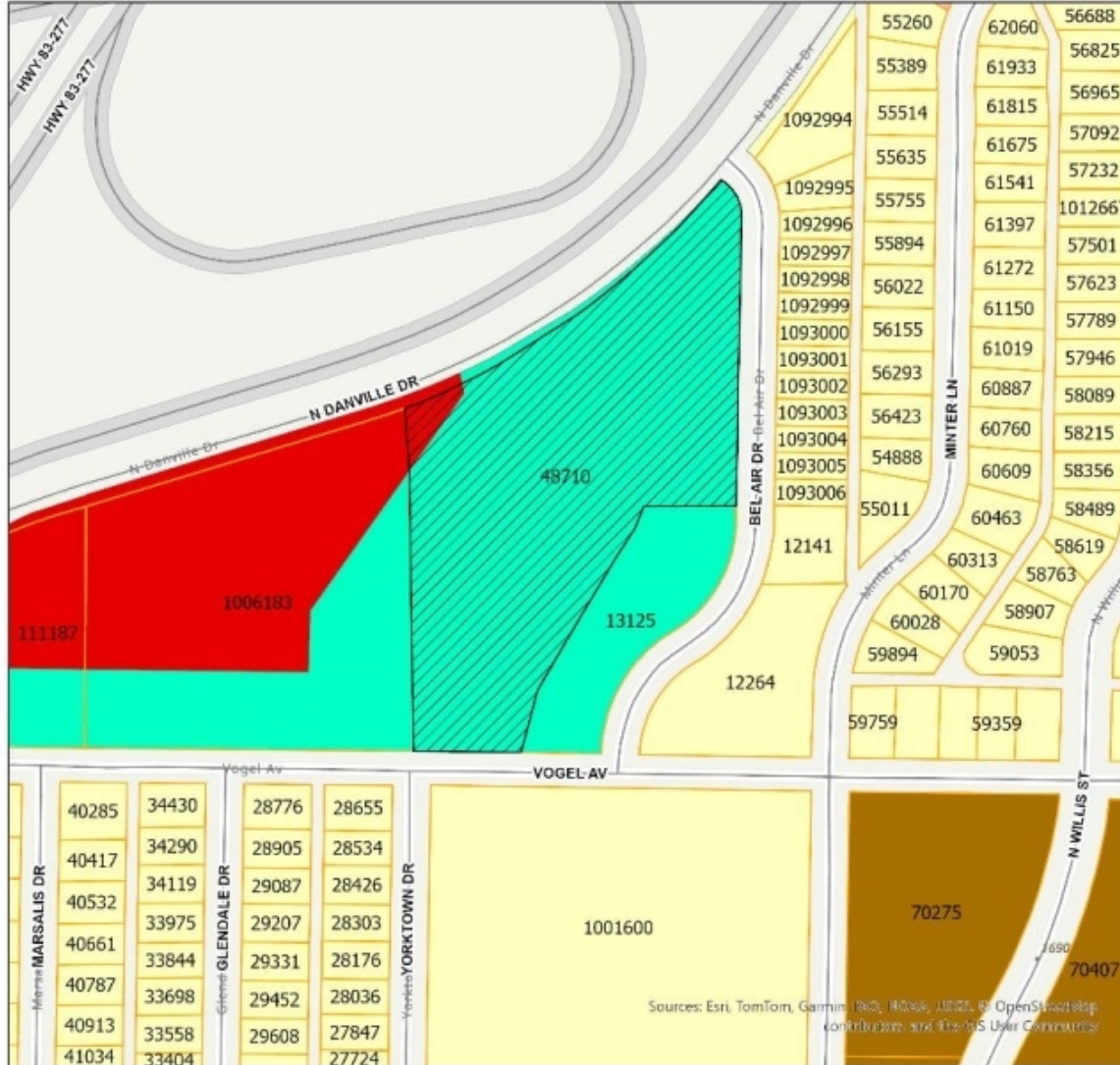
Planning & Zoning: June 2, 2026

Council Hearing: June 25, 2026
July 9, 2026





ZONING MAP



Legend

- Z-2026-30
- Courier Parcels
- PD (Planned Development)
- GC (General Commercial)
- NR (Neighborhood Retail)
- MF (Residential - Multi-family)
- RS (Residential - Single Family)

Sources: Esri, TomTom, Garmin, Bing, Mapbox, IGN, Swisstopo, OpenStreetMap contributors, and the GIS User Community

0.04 Miles





SUBJECT PROPERTY VIEWS





NEIGHBORING PROPERTIES





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 PATIO HOME ZONING

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Patio Home
- P Dwelling – Single-Family Detached

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
- 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 Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station

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
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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)
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CONCEPT PLAN





SPECIFIC MODIFICATIONS

Tract 1 – This Planned Development District shall be subject to the requirements of the Residential Medium Density (MD) zoning district, except as modified below:

- Standard Buffers not required

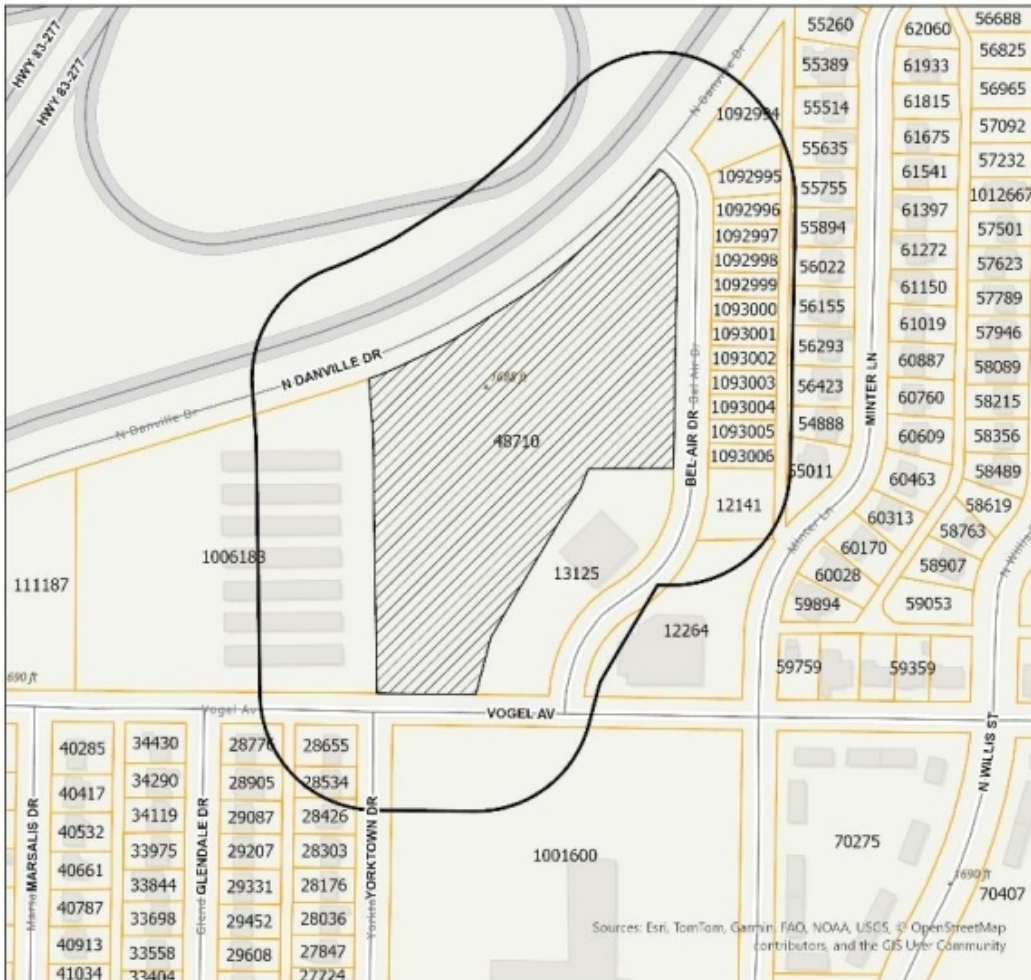
Tract 2 – This Planned Development District shall be subject to the requirements of the Patio Home (PH) zoning district, except as modified below:

- Minimum Lot Area: 3,000 square feet
- Minimum Lot Width: 35 feet
- Minimum Lot Depth: 95 feet
- Minimum Front Setback to Include Garage Setback: 15 feet
- Minimum Side Setback: 5 feet





NOTIFICATION AREA MAP



Legend

- Z-2026-30
- Notification Area
- Courier Parcels

0 - in Favor -

0 - in Opposition -

0.04 Miles



CITY OF
ABILENE
TEXAS



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 recommends **approval with the following conditions:**

- The garage setback is kept at 20 feet minimum as the 2 off-street parking spaces are required with minimum dimensions of 9 feet wide by 18 feet deep.
- Keep the Type A buffer between Medium Density (MD) zoning and any lower intensity residential district.
- Sidewalks are required to promote walkability.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **11. Ordinance (First Reading) Z-2026-32: Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner to Change the Zoning of Approximately 25.0 Acres from Agricultural Open (AO) to Planned Development District (PDD-201). Located at 6926 Military Drive. *(Tim Littlejohn)***

GENERAL INFORMATION

The subject properties were annexed to the City limits in 1964 and remained vacant since. The owner intends to provide a temporary development of workforce housing.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends **approval with the following conditions:**

- The term of this Planned Development shall be 5 years.
- At the time of expiration, the entire site shall be cleared. All units, roads, parking lots, and other improvements shall be promptly removed from the property by the owner.

ATTACHMENTS:

1. Ordinance Revised
2. Staff Report
3. Concept Plan
4. Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

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; CREATING A PLANNED DEVELOPMENT DISTRICT (PDD-201); 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 25th day of June, 2026.

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 May, 2026, 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 9th day of July, 2026, 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 9th day of July, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land from Agricultural Open (AO) to a Planned Development District (PDD-201).

Legal description as follows:

BEING the South 20 acres of a 25.0 acre tract out of the H. B. Martin Survey, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin at the Southeast corner of said 25.0 acre tract, said point being on the NBL of a public road; whence the Southwest corner of said H. B. Martin Survey bears South 80' and N89°45'W 2718.5';

THENCE North 2221.9' to an iron pin;

THENCE S89°45'E 392.1' to an iron pin on the EBL of said 25.0 acres;

THENCE South 2221.9' to an iron pin at the Southeast corner of said 25.0 acre tract on the NBL of said public road;

THENCE N89°45'W 392.1' to the place of beginning and containing 20.0 acres.

THE East 20' of the above tract is reserved for a Road Easement.

BEING the North 5 acres of a 25.0 acre tract out of the H. B. Martin Survey, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin on the EBL of said 25.0 acre tract; whence the Southwest corner of said H. B. Martin Survey bears South 2301.0' and N89°45'W 2718.5';

THENCE N89°45'W 392.1' to an iron pin on the WBL of said 25.0 acre tract;

THENCE North 508.4' to an iron pin at the Northwest corner of said 25.0 acre tract;

THENCE N76°30'E 402.9' along the NBL of said Martin Survey to an iron pin at the Northeast corner of said 25.0 acre tract;

THENCE South 602.7' to the place of beginning and containing 5.0 acres, more or less.

Located at 6926 Military Drive

ORDINANCE NO. _____
EXHIBIT B

Purpose: The purpose of this Planned Development District (PDD-201) is to provide temporary development of workforce housing.

Specific Modifications: This Planned Development District shall be subject to the requirements of the Multi-Family (MF) zoning district, except as modified below:

- Allow the installation of one hundred twenty (120) five-bedroom workforce housing units.

Five (5) years from the approval date of this Planned Development District (PDD-201) all units, roads, parking lots, and other improvements shall be removed from the property.



END

ZONING CASE

Z-2026-32

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
 City Council 1st Reading: June 25, 2026
 City Council 2nd Reading: July 9, 2026

Applicant

Owner: Alamo City Land Development, LLC
 Agent: Clint Rosenbaum

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 25.0 acres from Agricultural Open (AO) to Planned Development District (PDD-201).

Location

Located at 6926 Military Drive.

Legal description being 25.0 Acres Out of The H. B. Martin Survey, Abilene, Taylor County, Texas.

Background

The subject properties were annexed to the City limits in 1964 and remained vacant since. The owner intends to provide a temporary development of workforce housing.

Specific Modification

The Planned Development will have a base zoning of Multi-Family (MF) and will allow 120 five-bedroom workforce housing units.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	AO	Vacant
East	MH / MF	Vacant/Mobile Home Park
South	PDD - 1	Dyess AFB
West	AO	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 Map, as amended.**

The 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 purpose of the Planned Development is to provide temporary housing for the military workforce. Its proximity to Dyess AFB makes this location suitable. Using manufactured units also aligns with the existing mobile home park east of the 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.

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 and Zoning Commission Recommendation

P&Z recommends **approval with the condition** that 5 years from the approval date of PDD-201 the owner shall remove all units, roads, parking lots, and other improvements from the property.

Attachments

- PowerPoint Presentation
- Concept Plan

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, 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
BAILEY TOLIVER CHEVROLET LLP	12579	6701 W HWY 80	
BLAIR DEWAYNE & SENG	116691		
D M INVESTMENTS INC	54907	3 RUSTLERS TR	
D M INVESTMENTS INC	54907	2 RUSTLERS TR	
EVEEZ LLC	54509	6926 MILITARY DR	
EVEEZ LLC	54511		
ISLAND JAMES W	55159	7050 MILITARY DR	
ISLAND MARY JAY	54118	6950 MILITARY DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	158 CHAPEL HILL RD	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6502 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6506 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6510 FASTLANE DR	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6522 FASTLANE DR	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6530 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6534 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6538 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6542 FASTLANE DR	

LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6639 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6643 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6647 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6701 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6705 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6709 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6713 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6717 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	108 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	107 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	111 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	115 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	139 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6752 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6756 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6760 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6764 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6768 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6772 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6755 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6759 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6763 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6767 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6771 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	147 SPRINT ST	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	142 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	146 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	150 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	154 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	102 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	106 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	110 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	114 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	118 VICTORY LN	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	113 VICTORY LN	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	121 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	125 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	129 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	133 VICTORY LN	
MHP DEVELOPMENT	55416	6651 CROMWELL ST	
TYE AIR BASE	20127	666 LOUISIANA LO	
TYE AIR BASE	20127	926 LOUISIANA RD	
TYE AIR BASE	20127	941 LOUISIANA RD	
TYE AIR BASE	20127	597 LOUISIANA LO	
TYE AIR BASE	20127	1518 ARNOLD BL	
TYE AIR BASE	20127	697 LOUISIANA RD	

PROPERTY ID

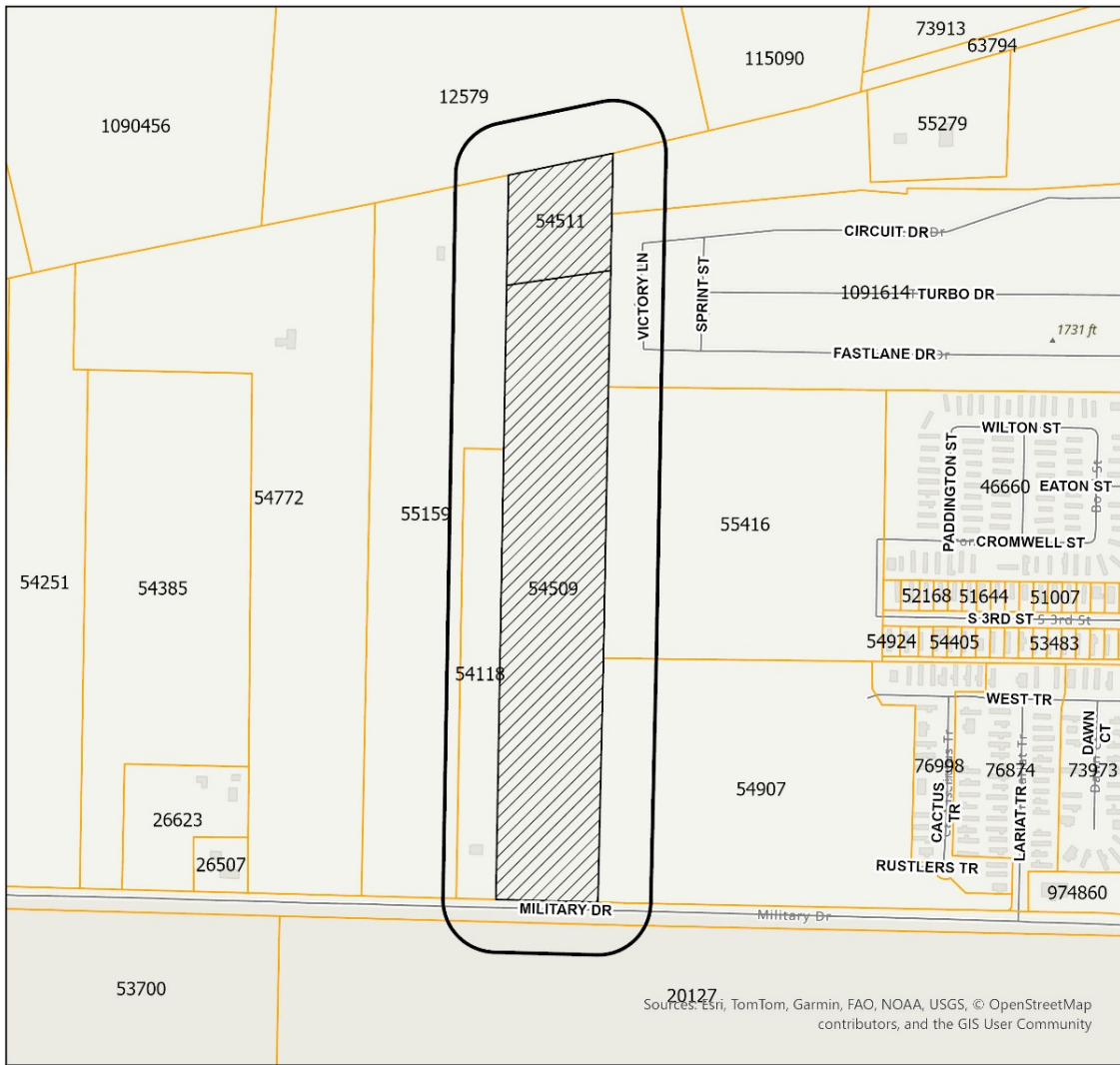
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6651 TURBO DR	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	111 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	115 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	139 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6752 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6756 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6760 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6764 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6768 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6772 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6755 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6759 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6763 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6767 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6771 FASTLANE DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	147 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	151 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	143 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	6507 CIRCUIT DR	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	120 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	124 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	138 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	142 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	146 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	150 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	154 SPRINT ST	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	102 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	106 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	110 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	114 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	118 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	122 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	126 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	130 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	134 VICTORY LN	
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LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	113 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	117 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	121 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	125 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	129 VICTORY LN	
LQ INVESTMENTS PORTFOLIO NINE LLC	1091614	133 VICTORY LN	

Notification Map



Legend

- Notification Area
- Z-2026-32
- Courier Parcels

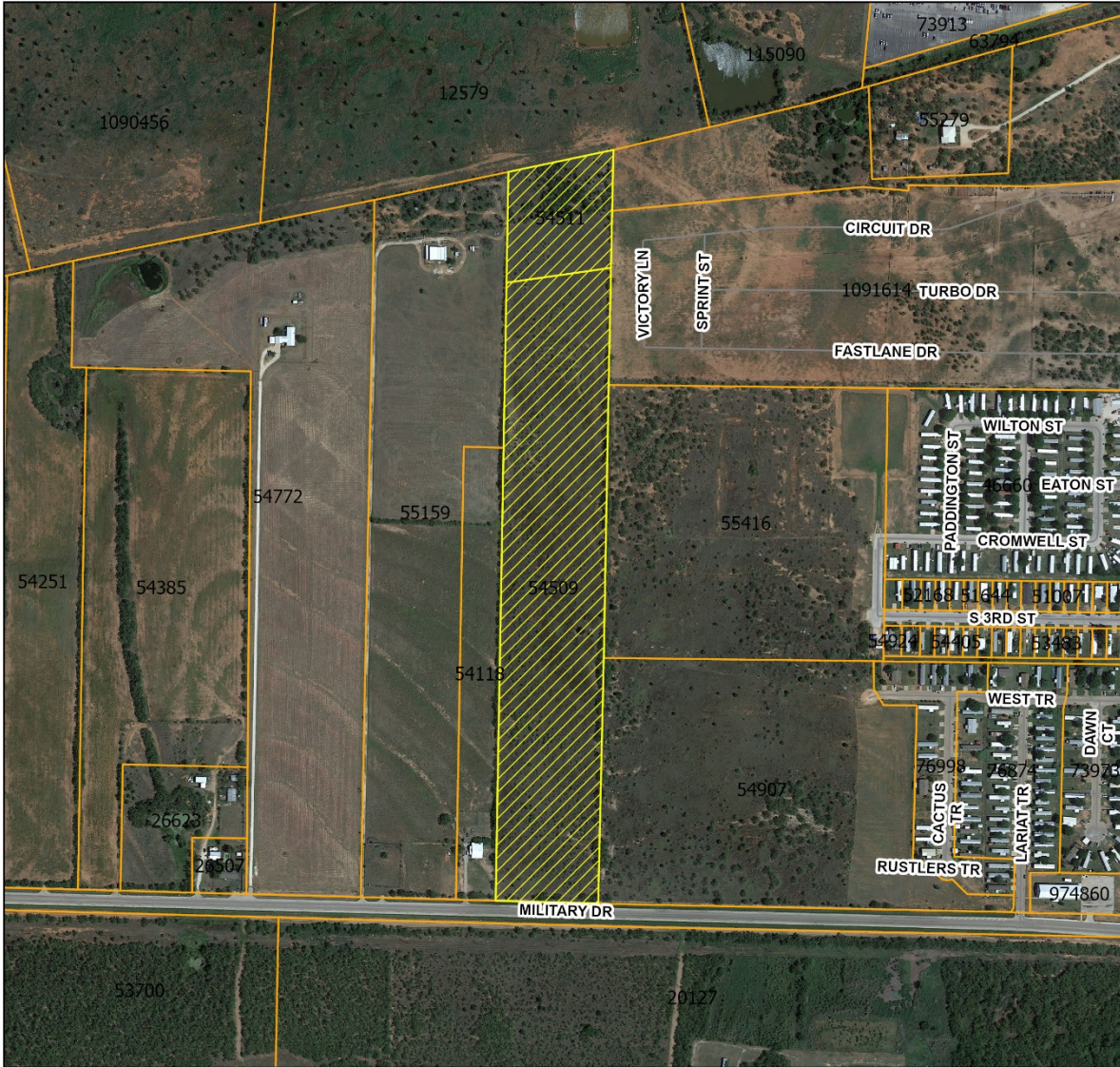
0.1 Miles

20127
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Concept Plan



LOCATION MAP

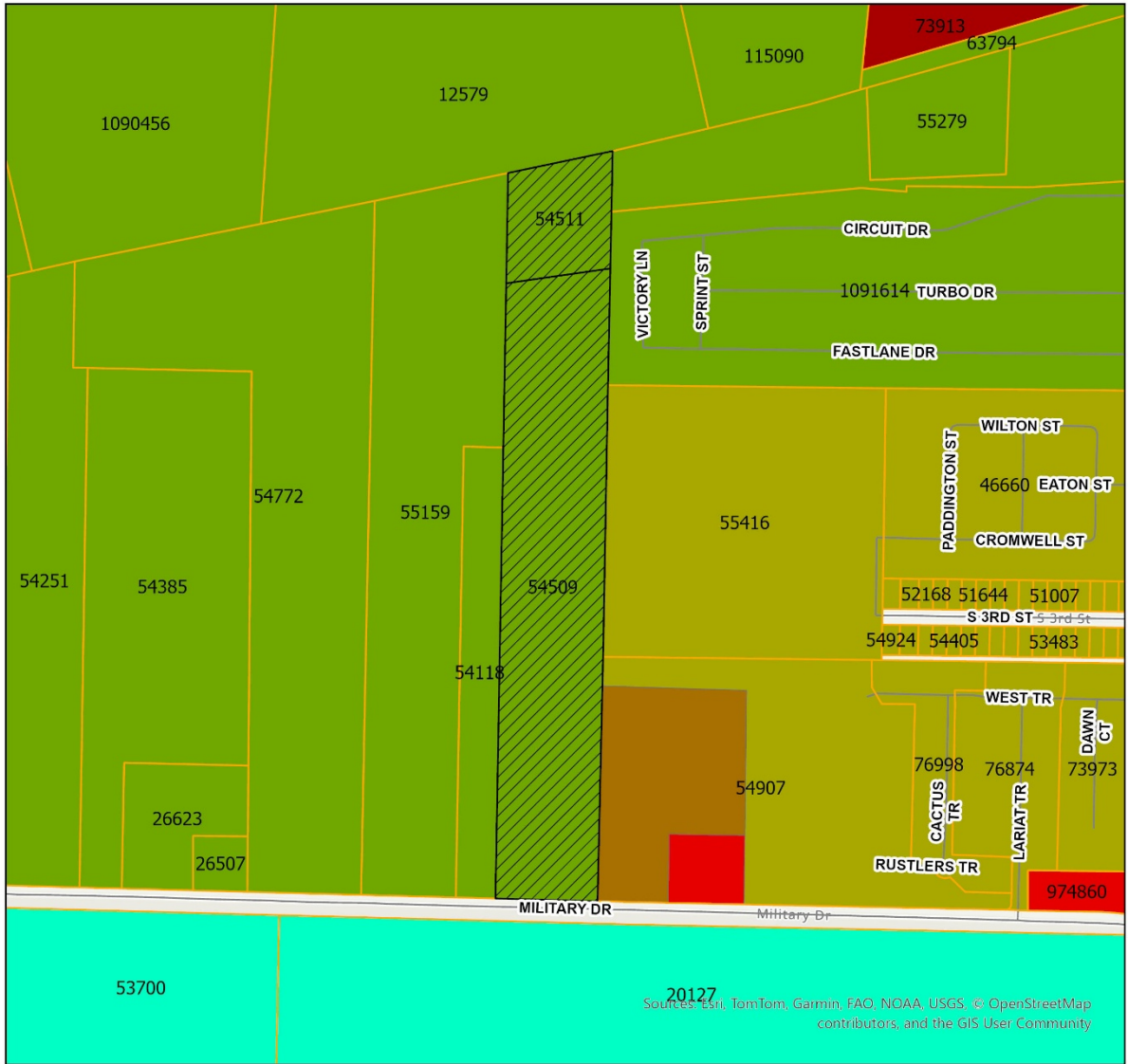


Legend

- Z-2026-32
- Courier Parcels

0.1 Miles

ZONING MAP



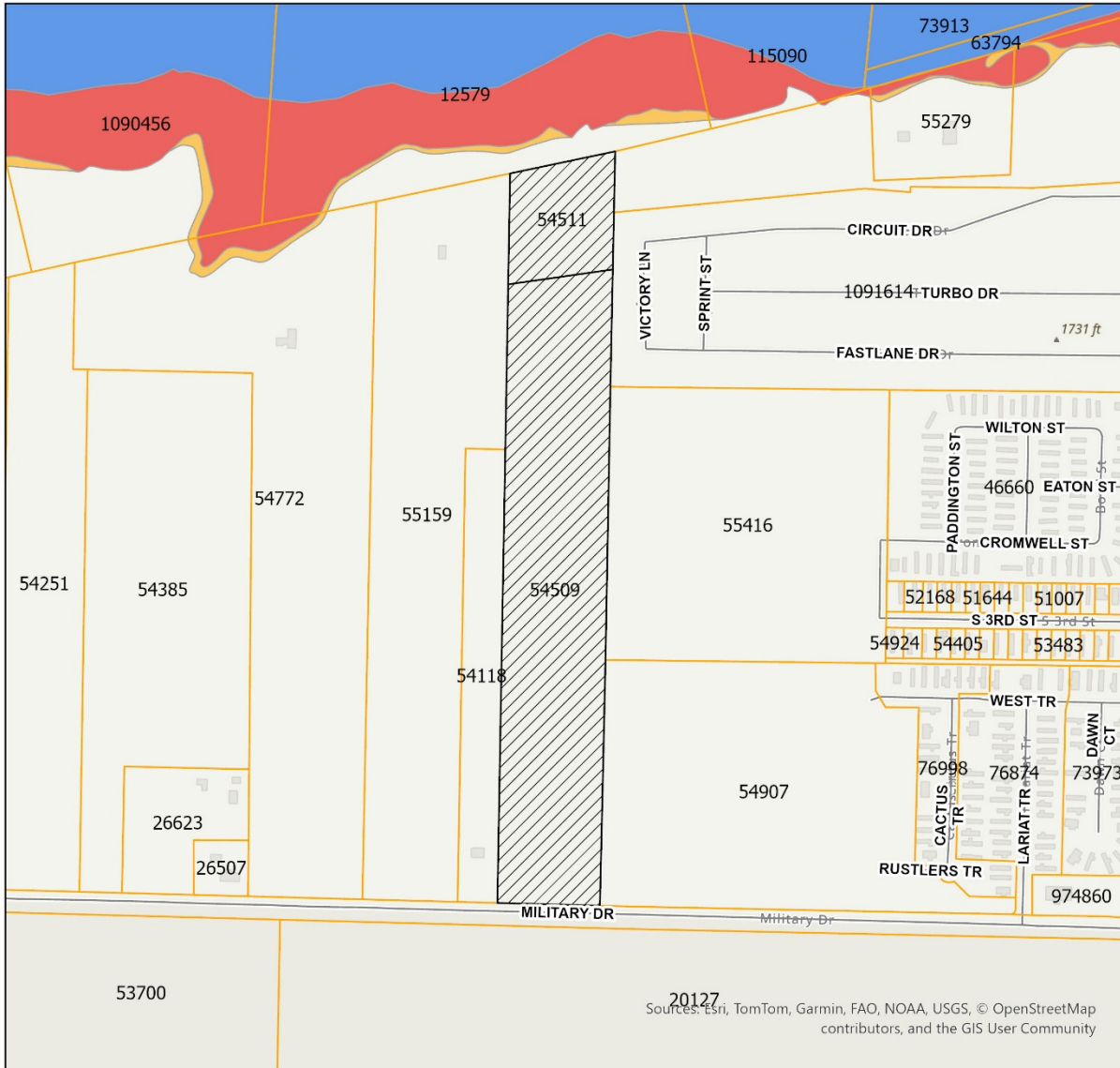
Legend

-  Z-2026-32
-  Courier Parcels
-  PD (Planned Development)
-  HC (Heavy Commercial)
-  GC (General Commercial)
-  MH (Manufacture/Mobile Home)
-  MF (Residential - Multi-family)
-  AO (Agricultural Open)

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

0.1 Miles

FLOOD MAP



- Legend**
- Z-2026-32
 - Courier Parcels
- 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 |

0.1 Miles

20127
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

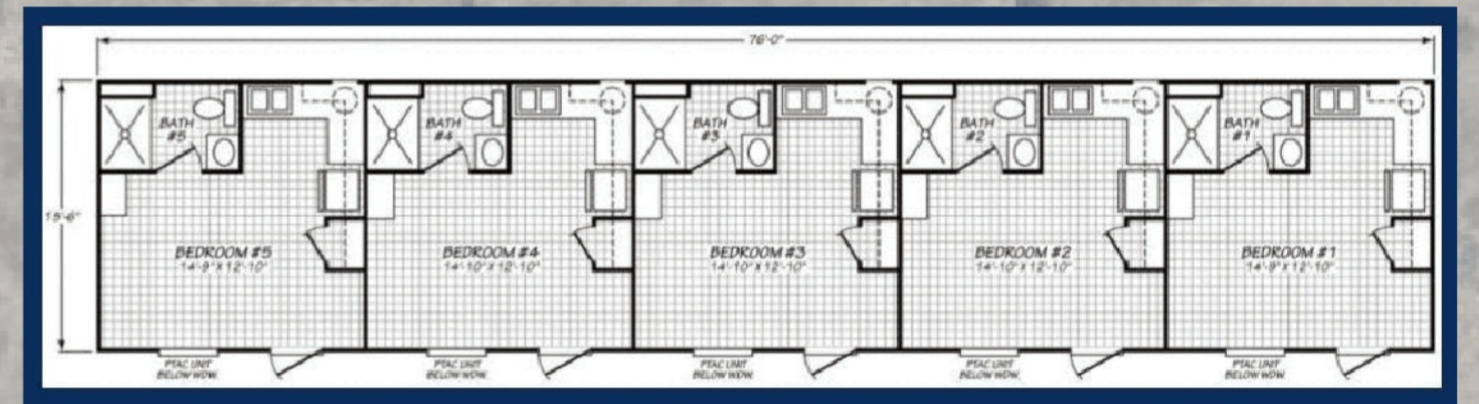


SCALE IN FEET

LANDSCAPE / RECREATION SPACE

LAUNDRY ROOM

REC ROOM



5 BEDROOM WORKFORCE HOUSING UNIT
120 Units

**MILITARY & HYPER SCALE HOUSING
CRISIS RELIEF PROJECT**
6926 Military Dr
Abilene, Texas 79605



REZONE REQUEST

Case: Z-2026-32

Owner: Alamo City Land Development, LLC

Agent: Clint Rosenbaum

Request: Change the zoning of approximately 25.0 acres from Agricultural Open (AO) to Planned Development District (PDD-201)

Location: 6926 Military Dr

Notification: 0 in Favor, 0 in Opposition

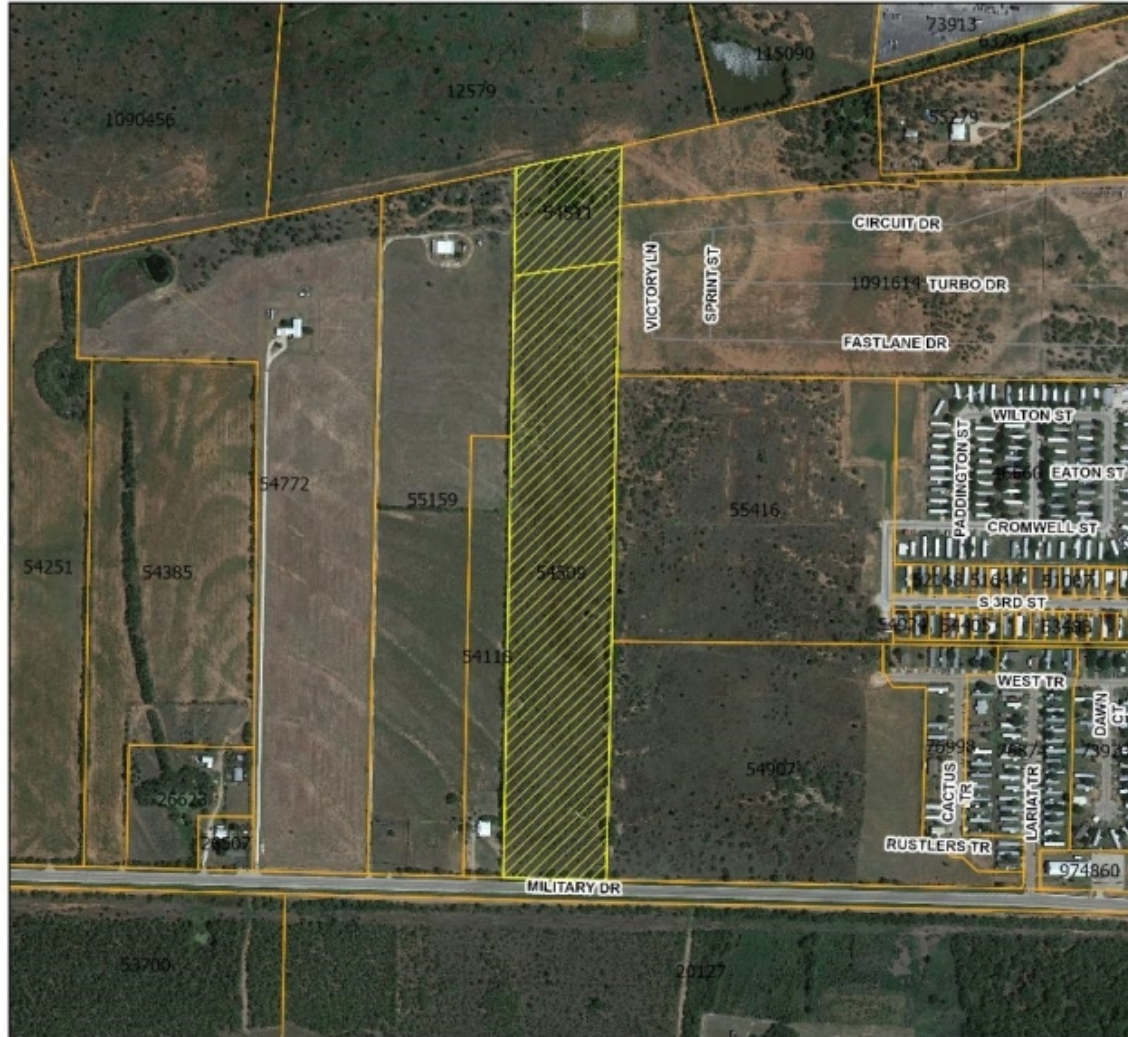
Planning & Zoning: June 2, 2026

Council Hearing: June 25, 2026
July 9, 2026





AERIAL LOCATION MAP



Legend

-  Z-2026-32
-  Courier Parcels

0.1

Miles



CITY OF
ABILENE
TEXAS



ZONING MAP



Legend

- Z-2026-32
- Courier Parcels
- PD (Planned Development)
- HC (Heavy Commercial)
- GC (General Commercial)
- MH (Manufacture/ Mobile Home)
- MF (Residential - Multi-family)
- AO (Agricultural Open)

0.1 Miles





SUBJECT/NEIGHBORING VIEWS



Subject Property

May 18, 2026 11:29 AM



Neighboring Property
(Dyess AFB)

May 18, 2026 11:29 AM



Neighboring Property
(Mobile Home Park)

May 18, 2026 11:31 AM





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

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

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





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)
- 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 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





CONCEPT PLAN

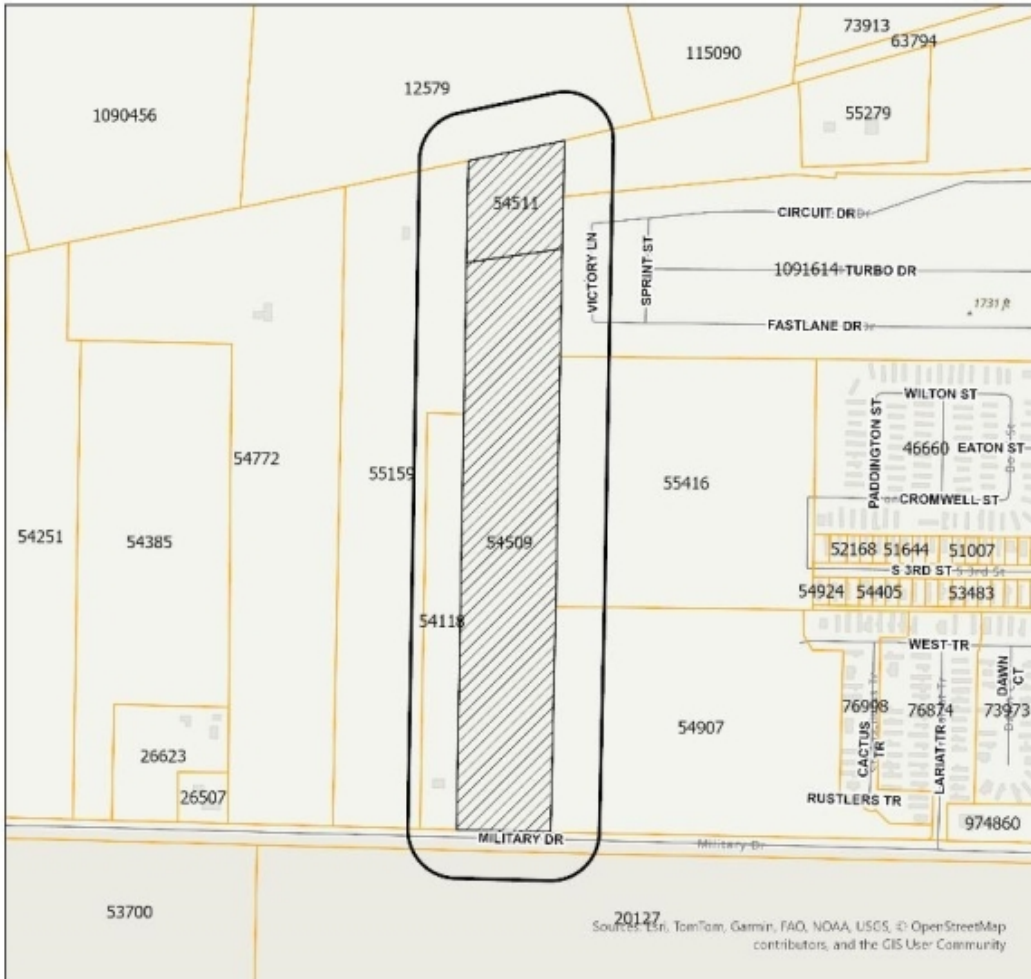


- 120 Units
- 5 Bedroom Each





NOTIFICATION AREA MAP



Legend

- Notification Area
- Z-2026-32
- Courier Parcels

0 - in Favor -

0 - in Opposition -

0.1 Miles



CITY OF
ABILENE
TEXAS



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 recommends **approval** with the condition that 5 years from the approval date of PDD-201 the owner shall remove all units, roads, parking lots, and other improvements from the property.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **12. Ordinance (First Reading) Z-2026-33: 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 Commercial (HC) to Residential Single-Family (RS-6) Zoning. Located at 801 N 13th Street and 1226 Mesquite Street. *(Tim Littlejohn)***

GENERAL INFORMATION

The subject properties are part of Original Town of Abilene. 801 N 13th Street has a dilapidated structure that has been condemned and is due to be demolished by the City of Abilene through the economic development program known as Rebuild ABI. Both properties are owned by a developer who is planning to build single-family residences with assistance of the Rebuild ABI Program.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 5-0.

ATTACHMENTS:

1. Ordinance
2. Staff Report (12)
3. 1317 Walnut Street
4. Presentation (21)

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

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 25th day of June 2026.

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 May, 2026, 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 9th day of July, 2026, 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 9th day of July, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

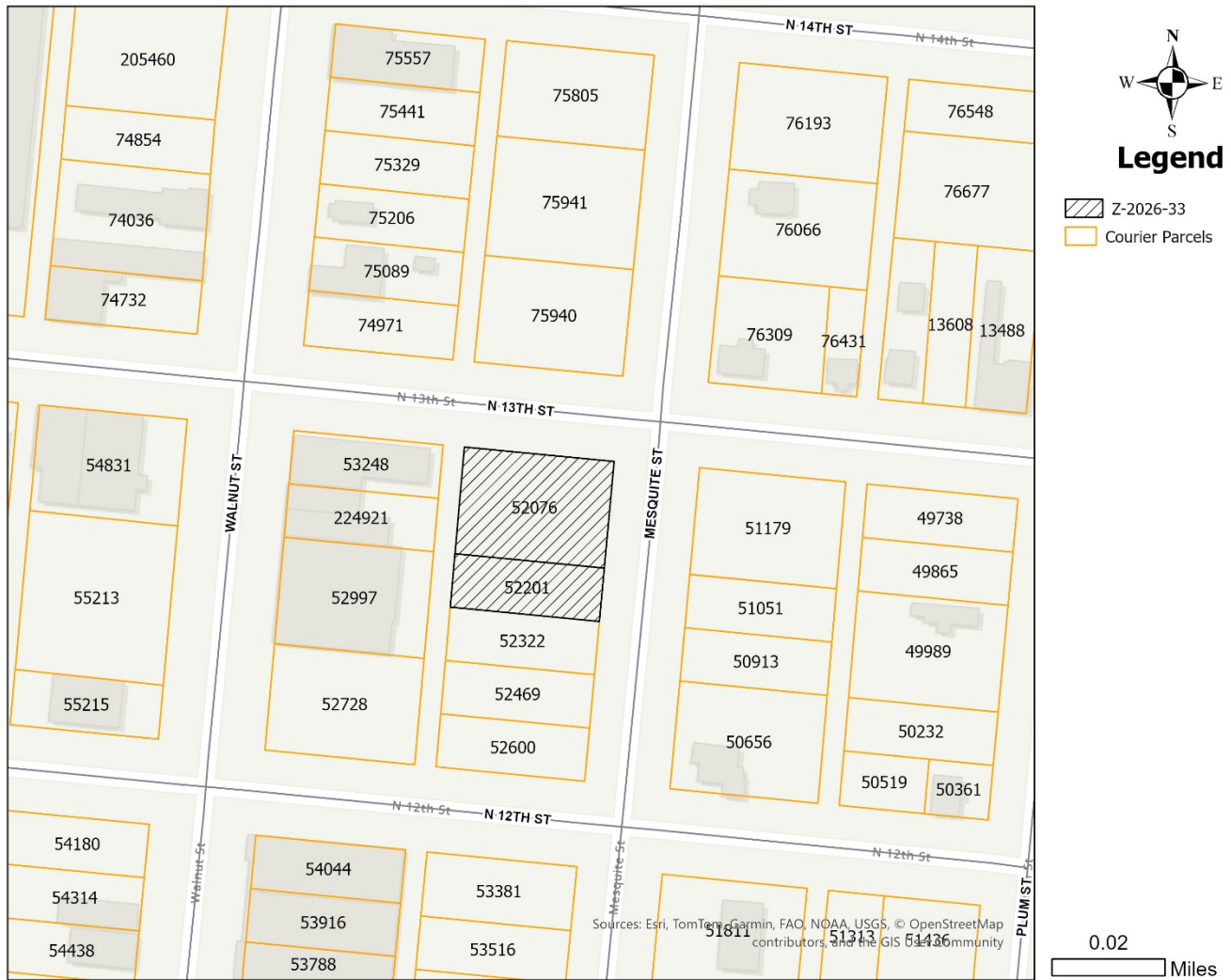
ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 0.48-acres from Heavy Commercial (HC) to Residential Single-Family (RS-6).

Legal description being Lots 1, 2, and 3, Block C, J. Stoddard Johnston's Subdivision of Lot One, Block 200, Original Town of Abilene, Taylor County, Texas.

Located at 801 N 13th Street and 1226 Mesquite Street.



END

ZONING CASE

Z-2026-33

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
 City Council 1st Reading: June 25, 2026
 City Council 2nd Reading: July 9, 2026

Applicant

Owner: Anthon, Inc. (Trey Thornton)

Case Manager

Clarissa Ivey – Planner

Request

Change the zoning of approximately 0.48 acres from Heavy Commercial (HC) to Residential Single Family (RS-6).

Location

Located at 801 N 13th Street and 1226 Mesquite Street
 Legal description being Lots 1, 2, and 3, Block C, J. Stoddard Johnston's Subdivision of Lot One, Block 200, Original Town of Abilene, Taylor County, Texas.

Background

The subject properties are part of Original Town of Abilene. 801 N 13th Street has a dilapidated structure that has been condemned and is due to be demolished by the City of Abilene through the economic development program known as Rebuild ABI. Both properties are owned by a developer who is planning to build single-family residences with assistance of the Rebuild ABI Program.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	HC	Vacant
East	HC/RS-6	Vacant/Residential
South	RS-6	Residential
West	HC	Retail

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 Future Land Use Map (FLUM) recommends residential use. The request is consistent with the Comprehensive Plan and FLUM.

(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 of Residential Single-Family is appropriate in the immediate area as this is being redeveloped for residential use.

(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 properties have adequate utility service for residential use.

(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

- PowerPoint Presentation

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, 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 ST VINCENT DEPAUL	224921	1235 WALNUT ST	
ABILENE ST VINCENT DEPAUL	224921	1233 WALNUT ST	
BADGETT JIMMIE LEON & CHARLOTTE ANN	75206	1317 WALNUT ST	O
DANSBY MARY JAMES ET AL	51179	1233 MESQUITE ST	
DELA GARZA JESSICA T	76309	742 N 13TH ST	
ESP INVESTMENTS LLC	75941	1334 MESQUITE ST	
ESP INVESTMENTS LLC	75940	802 N 13TH ST	
ESP INVESTMENTS LLC	74971	1301 WALNUT ST	
ESP INVESTMENTS LLC	75089	1305 WALNUT ST	
HSNH LLC	51051	1225 MESQUITE ST	
MC MEEKAN LINDA KAY	52728	1201 WALNUT ST	
MC MEEKAN LINDA KAY	52997	1225 WALNUT ST	
MC MEEKAN LINDA KAY	52600	1202 MESQUITE ST	
MC MEEKAN LINDA KAY	52201	1226 MESQUITE ST	
MC MEEKAN LINDA KAY	52469	1210 MESQUITE ST	
MC MEEKAN LINDA KAY	52322	1218 MESQUITE ST	
MC MEEKAN LINDA KAY	52076	801 N 13TH ST	
MEDEL CESAR	50913	1217 MESQUITE ST	
ORTIZ PETRA	76066	1317 MESQUITE ST	
ST VINCENT DE PAUL	53248	1241 WALNUT ST	
VALENTINE ANNA L	50656	1201 MESQUITE ST	

PROPERTY ID

Legend: O - Opposed, F - In Favor

PROPERTY OWNER	PROPERTY ID	SITUS	RESPONSE
VALENTINE ANNA L	50656	1201 MESQUITE ST	
MEDEL CESAR	50913	1217 MESQUITE ST	
HSNH LLC	51051	1225 MESQUITE ST	
DANSBY MARY JAMES ET AL	51179	1233 MESQUITE ST	
MC MEEKAN LINDA KAY	52076	801 N 13TH ST	
MC MEEKAN LINDA KAY	52201	1226 MESQUITE ST	
MC MEEKAN LINDA KAY	52322	1218 MESQUITE ST	
MC MEEKAN LINDA KAY	52469	1210 MESQUITE ST	
MC MEEKAN LINDA KAY	52600	1202 MESQUITE ST	
MC MEEKAN LINDA KAY	52728	1201 WALNUT ST	
MC MEEKAN LINDA KAY	52997	1225 WALNUT ST	
ST VINCENT DE PAUL	53248	1241 WALNUT ST	
ESP INVESTMENTS LLC	74971	1301 WALNUT ST	
ESP INVESTMENTS LLC	75089	1305 WALNUT ST	
BADGETT JIMMIE LEON & CHARLOTTE ANN	75206	1317 WALNUT ST	O
ESP INVESTMENTS LLC	75940	802 N 13TH ST	
ESP INVESTMENTS LLC	75941	1334 MESQUITE ST	
ORTIZ PETRA	76066	1317 MESQUITE ST	
DELA GARZA JESSICA T	76309	742 N 13TH ST	
ABILENE ST VINCENT DEPAUL	224921	1235 WALNUT ST	
ABILENE ST VINCENT DEPAUL	224921	1233 WALNUT ST	

NOTIFICATION MAP



LOCATION MAP



Legend






-  Z-2026-33
-  Courier Parcels
-  Collector

0.01 Miles

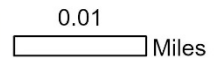
ZONING MAP



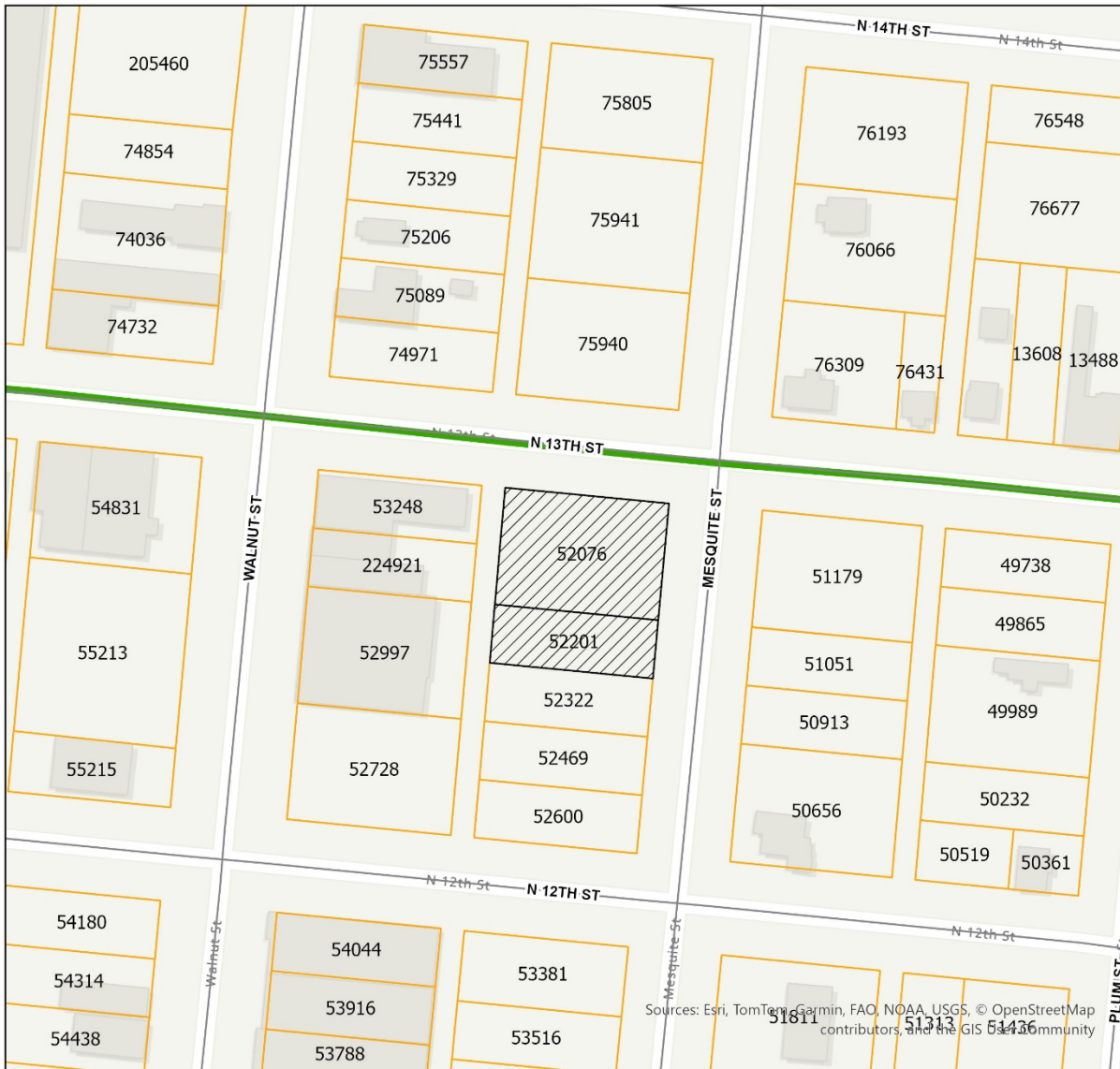
Legend

-  Z-2026-33
-  Courier Parcels
-  HC (Heavy Commercial)
-  RS (Residential - Single Family)
-  Collector

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

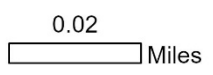


FLOOD MAP



- Legend**
- Z-2026-33
 - Courier Parcels
- FEMA Flood Zones**
- | | |
|------------------|--------------|
| Floodway | Floodway |
| 100 Year 1% | 100 Year 1% |
| 500 Year .2% | 500 Year .2% |
| Unstudied A Zone | Unstudied A |
| Collector | |

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-33

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

MAY 28 AM 9:27

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	HC	Your Name:	BADGETT JIMMIE LEON &	I am in favor	<input type="checkbox"/>
Requestor's Proposed Zoning:	RS-6	Your Address:	1317 WALNUT ST		
Requestor's Parcel ID:	52076 & 52201	Your Parcel ID:	75206	I am opposed	<input checked="" type="checkbox"/>

Signature: *Jimmie Badgett*

The change would not be in concert with the zoning of the remaining parcels in the area. It would possibly negatively impact the value of the HC zoned parcels.



REZONE REQUEST

Case: Z-2026-33

Owner: Anhor, Inc. (Trey Thornton)

Request: Change the zoning of approximately 0.48 acres from Heavy Commercial (HC) to Residential Single Family (RS-6)

Location: 801 N 13th St & 1226 Mesquite St

Notification: 0 in Favor, 1 in Opposition

Planning & Zoning: June 2, 2026

Council Hearing: June 25, 2026
July 9, 2026








AERIAL LOCATION MAP



Legend

-  Z-2026-33
-  Courier Parcels
-  Collector

0.01 Miles





ZONING MAP



Legend

- Z-2026-33
- Courier Parcels
- HC (Heavy Commercial)
- RS (Residential - Single Family)
- Collector

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

0.01 Miles



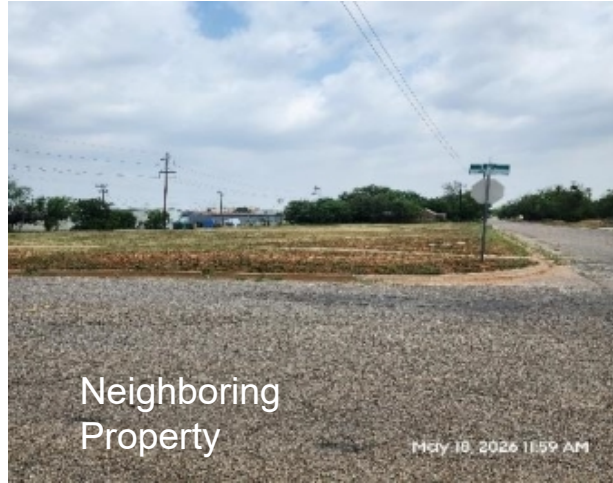


PROPERTY VIEWS





NEIGHBORING VIEWS





USES IN HEAVY COMMERCIAL ZONING

RESIDENTIAL USES:

C 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 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) (*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)
- 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





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

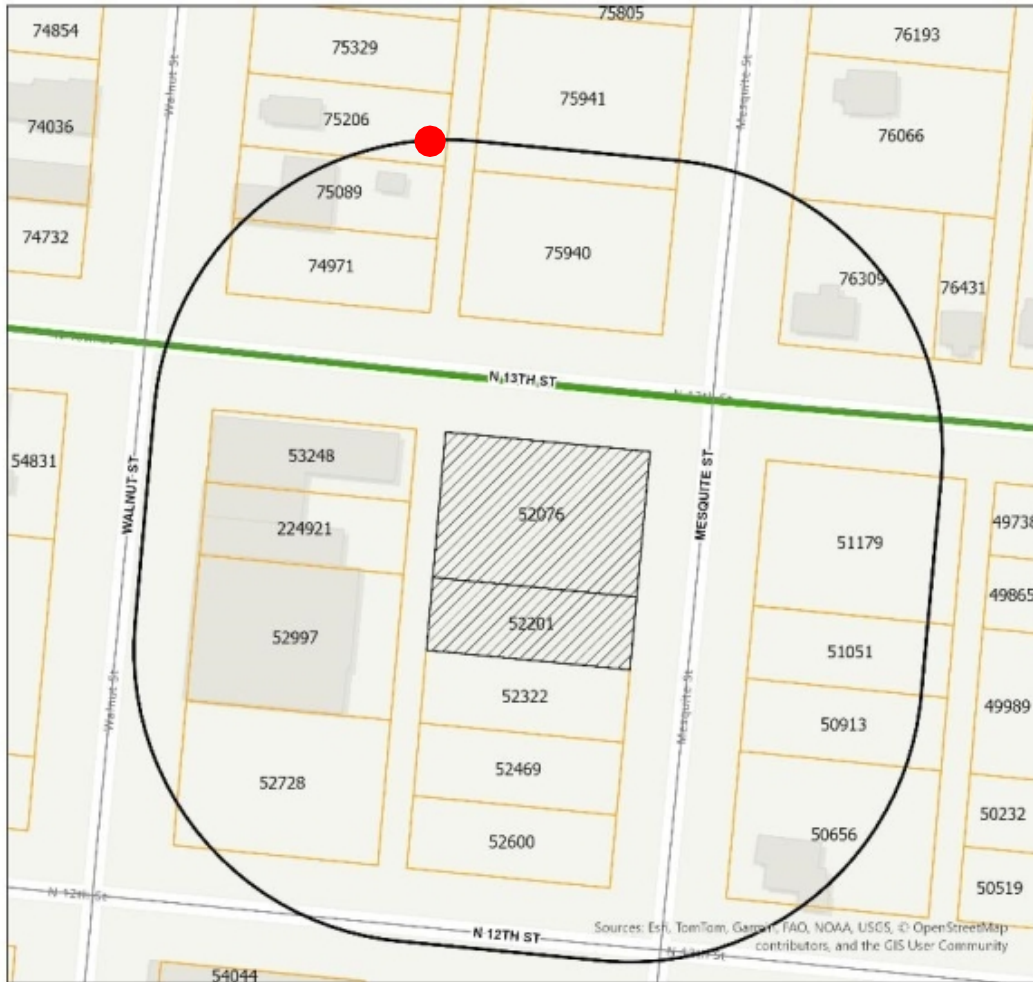
LEGEND

- 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





NOTIFICATION AREA MAP



Legend

- Z-2026-33
- Z202633_Buffer
- Courier Parcels
- Collector

0 - in Favor -

1 - in Opposition -

0.308% - Opposition



CITY OF
ABILENE
TEXAS

0.01

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 recommends **approval**.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Tim Littlejohn, Director of Planning & Development Services
ITEM: **13. Ordinance (Final Reading) Z-2026-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Change the Zoning of Approximately 0.48 Acres from Residential Medium Density (MD) to College University (CU) Zoning. Located at 1801 Lincoln Drive. *(Tim Littlejohn)***

GENERAL INFORMATION

The subject property was annexed into the City limits in 1928. Property was platted in 1927. This property has remained vacant since at least 2012.

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 5-0.

ATTACHMENTS:

1. Ordinance
2. Staff Report (10)
3. 1810 Lincoln Drive
4. Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

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 11th day of June, 2026.

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 18th day of May 2026, 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 25th day of June, 2026, 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 25th day of June, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

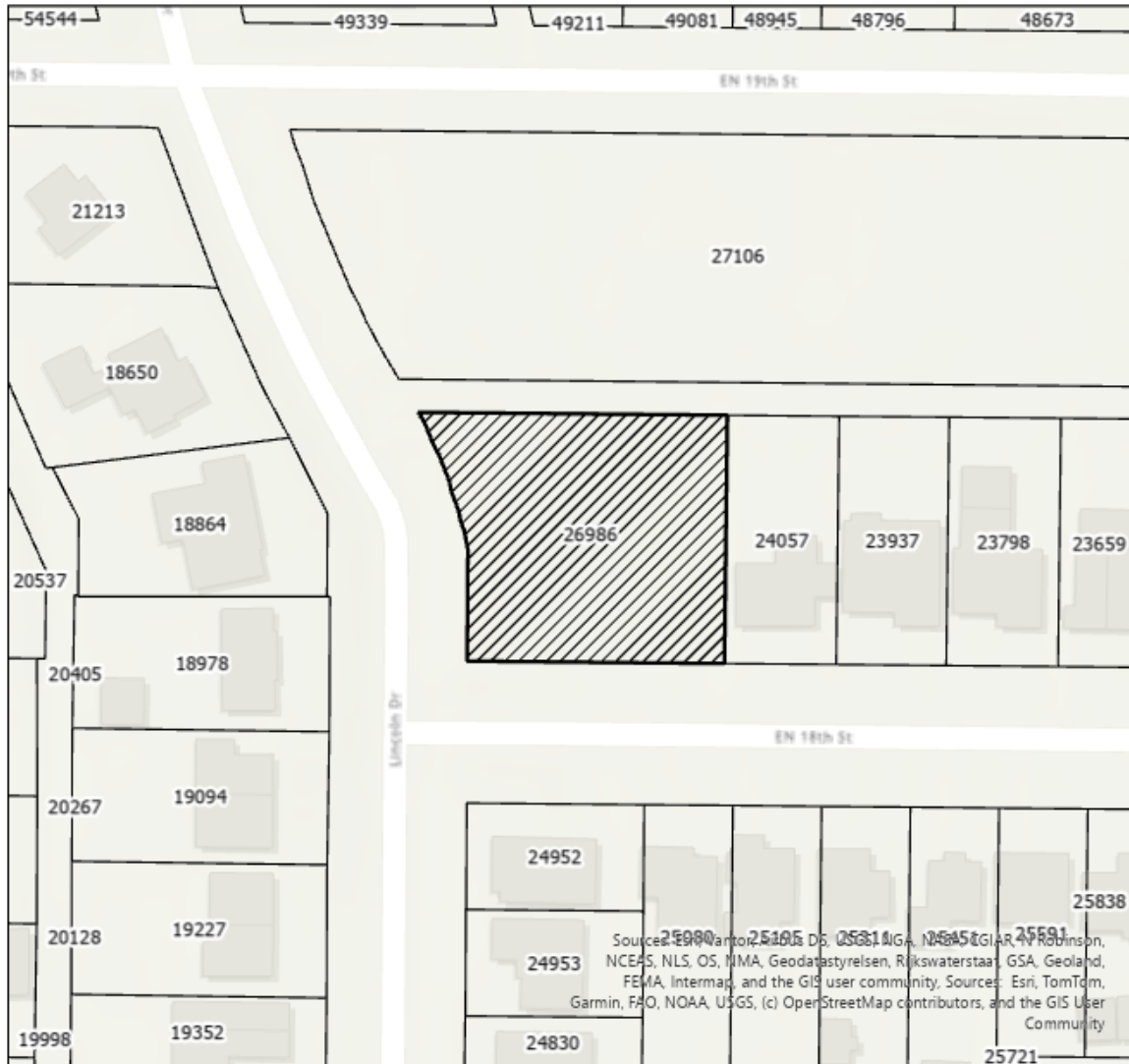
ORDINANCE NO. _____

EXHIBIT A

Change the zoning of approximately 0.48 acres from Medium Density Residential (MD) to College/University (CU).

Legal description being Lots 6-8, Block 23, Abilene Heights Addition, Abilene, Taylor County, Texas.

Located at 1801 Lincoln Drive.



END

ZONING CASE

Z-2026-29

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: June 2, 2026
 City Council 1st Reading: June 11 2026
 City Council 2nd Reading: June 25, 2026

Applicant

Agent: eHT
 Owner: Abilene Christian University

Case Manager

Adam Holland – Planner

Request

Change the zoning of approximately 0.48 acres from Medium Density Residential (MD) to College/University (CU) zoning

Location

Located at 1801 Lincoln Drive. Legal description being lots 6-8, Block 23, Abilene Heights Addition, Abilene, Taylor County, Texas.

Background

The subject property was annexed into the City limits in 1928. Property was platted in 1927. This property has remained vacant since at least 2012.

Zoning, Existing and Proposed Land Use

	Zoning	Existing Land Use
North	CU	Vacant
East	MD	Residential
South	RS-6	Residential
West	MD	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 Map, as amended.**

The proposed use is consistent with the Comprehensive Plan. This property is within a transitional character area which recommends retail, high density residential, neighborhood commercial, and light industrial which College/University is supported as a secondary use.

(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 will be subject to site plan review; therefore, any and all utilities that are required will be addressed during that time.

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

None known.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommends **approval**

Attachments

- PowerPoint Presentation

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, City staff mailed personal notices on May 15, 2026, 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

OWNER	PROP_ID	SITUS	RESPONSE
ABILENE CHRISTIAN UNIVERSITY	26986	1801 LINCOLN DR	Owner
ABILENE CHRISTIAN UNIVERSITY	27106	525 EN 19TH ST	Owner
ALLEN TOM & JUDY TRUST	25311	533 EN 18TH ST	
ALLEN TOM & JUDY TRUST	25311	533 A EN 18TH ST	
EIDSON TYLER & ASIA &	24057	526 EN 18TH ST	
FINNELL JOY LIFE EST	25591	549 EN 18TH ST	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	550 EN 18TH ST	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	1802 AVENUE D	
HOMES AFFORDABLE PROPERTY INVESTORS LLC	23659	552 EN 18TH ST	
JONES JERRY L & SHERILYN A	23937	534 EN 18TH ST	
MANSUR KAUAI	25195	525 EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 EN 18TH ST	
MC ANALLY BENJAMIN F IV	25451	541 1/2 EN 18TH ST	
MCFALL DIANNA LYNN	18864	1810 LINCOLN DR	F
MOERKERKE FAMILY TRUST	23798	542 1/2 EN 18TH ST	
MOERKERKE FAMILY TRUST	23798	542 EN 18TH ST	
OGLESBY ROBERT K JR &	24952	1749 LINCOLN DR	
OGLESBY ROBERT K JR &	24953	1741 LINCOLN DR	
PROWEN PROPERTIES LLC	21213	1842 LINCOLN DR	
RICHARDSON NANCY	25080	517 EN 18TH ST	

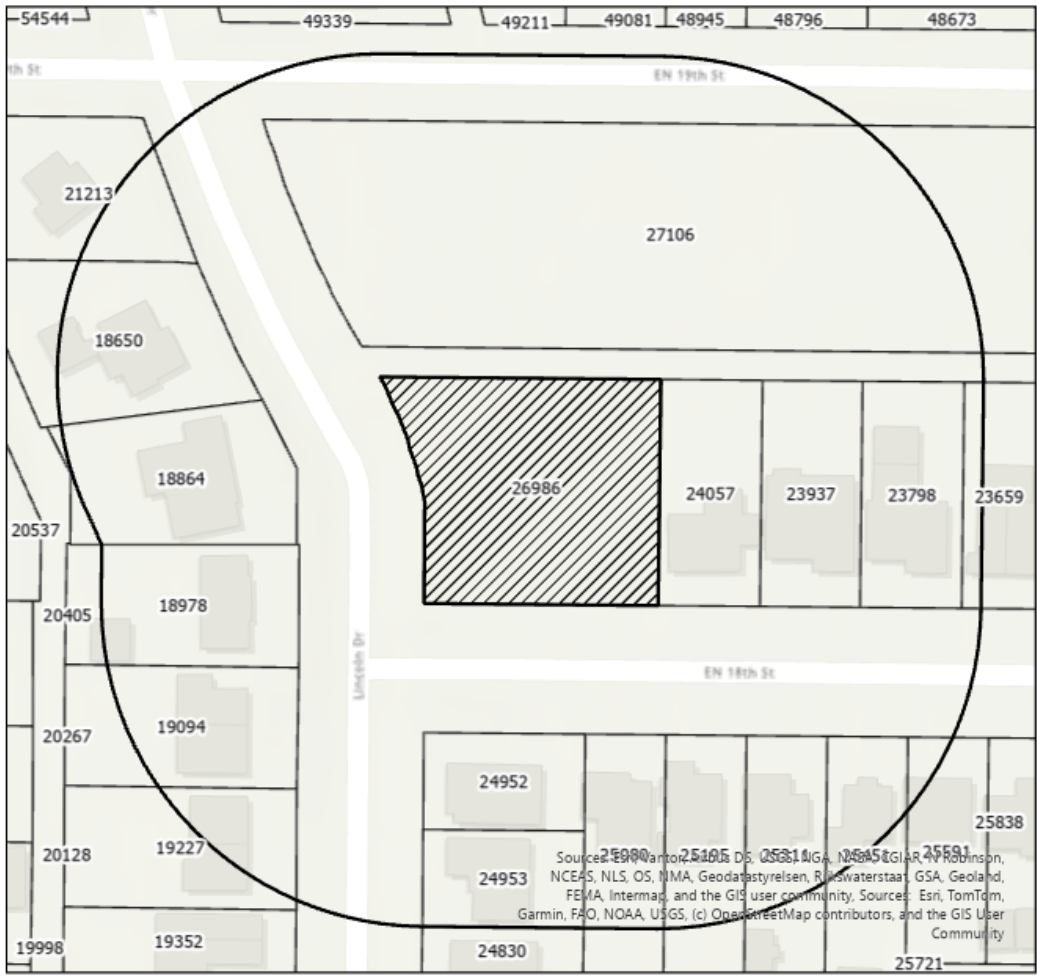
SEDDSCO LLC	18650	1826 LINCOLN DR	
SEDDSCO LLC	18650	1826 1/2 LINCOLN DR	
SEWELL FIELD VENTURES LLC	18978	1802 LINCOLN DR	
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SULLIVAN SLADE	19094	1768 LINCOLN DR	
SULLIVAN SLADE	19094	1766 LINCOLN DR	
SULLIVAN SLADE	19227	1760 LINCOLN DR	
SULLIVAN SLADE	19227	1758 LINCOLN DR	

PROPERTY ID

Legend: O - Opposed, F - In Favor

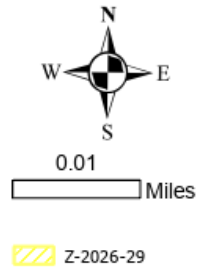
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ABILENE CHRISTIAN UNIVERSITY	26986	1801 LINCOLN DR	Owner
ABILENE CHRISTIAN UNIVERSITY	27106	525 EN 19TH ST	Owner

NOTIFICATION MAP

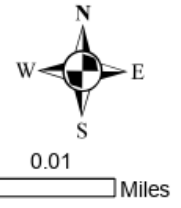
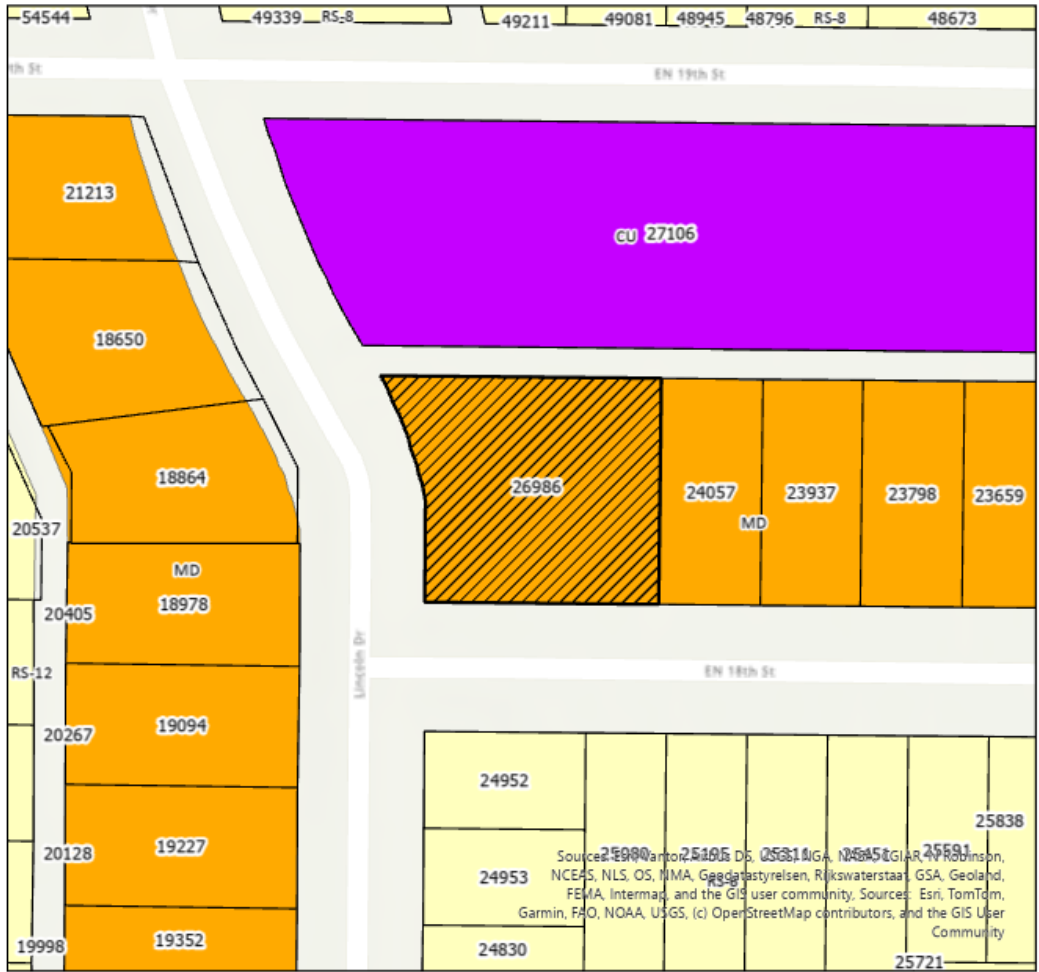


Sources: Esri, DeLorme, Garmin, IGN, Intermap, Inc., Swire, GEBCO, USGS, NOAA, FEMA, FEMA Intermag, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

LOCATION MAP

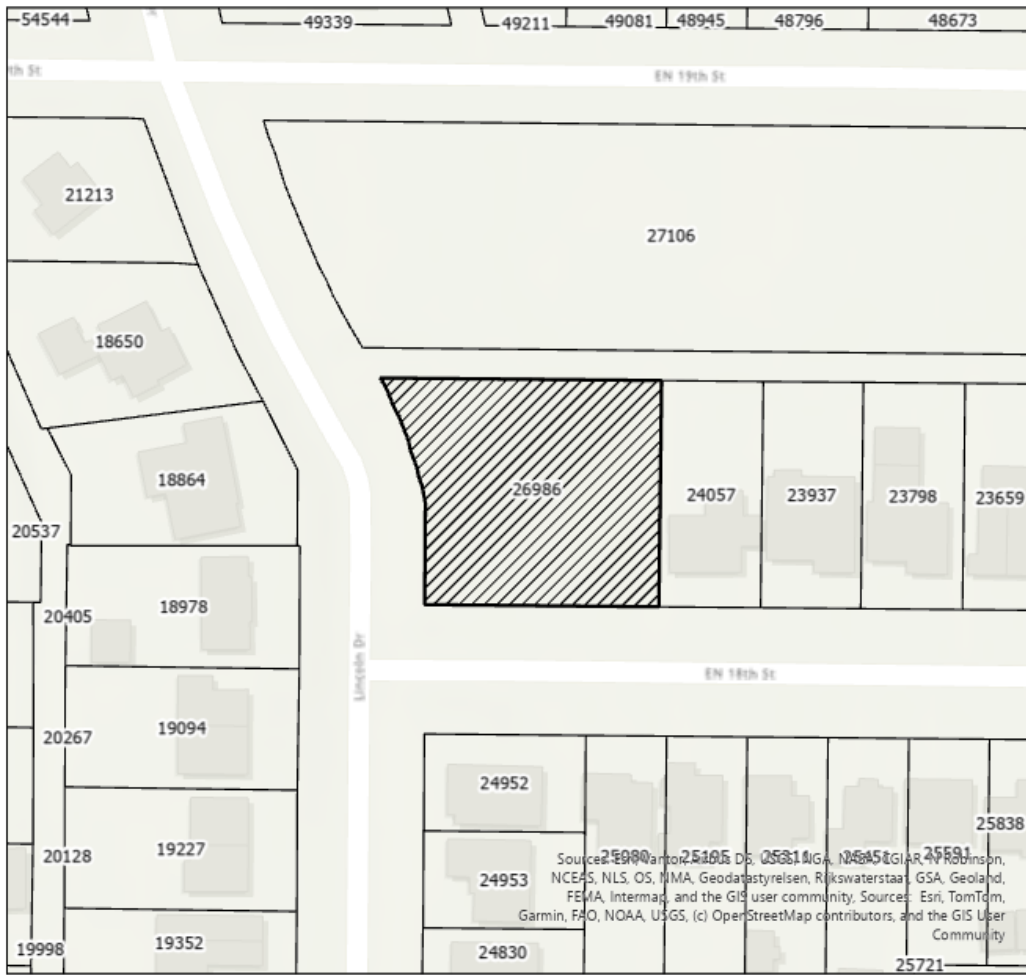


ZONING MAP



- Zoning Districts**
- CU
 - MD
 - RS-12
 - RS-6
 - RS-8
- Z-2026-29

FLOOD MAP



North arrow and scale bar (0.01 Miles).

Z-2026-29

FEMA Flood Zones

Blue box	Floodway	Blue box	Floodway
Red box	100 Year 1%	Red box	100 Year 1%
Orange box	100 Year 1%	Orange box	100 Year 1%
Yellow box	500 Year .2%	Yellow box	500 Year .2%
Purple box	Unstudied A Zone	Purple box	Unstudied A Zone

Sources: Esri, DeLorme, Garmin, IGN, Intermap, Inc., Swire, GEBCO, USGS, NOAA, FEMA, NCEM, NLS, OS, NIMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

ZONING NOTIFICATION RESPONSE FORM CASE: Z-2026-29

You may indicate your position on this request by detaching this sheet at the dotted line and returning it to the address below. Additional comment space is provided on the back of this response form. You may also attach additional sheets if needed. All correspondence must be signed and include your name and address. All responses must be received within 5 days of the meeting to be placed in the agenda packet. Please mail the response form to:

Planning and Development Services
PO BOX 60, Abilene, TX 79604-0060.

MAY 25 AM 12:09

Alternatively, you may email your response to planning@abilenetx.gov.

Requestor's Property Zoning:	MD	Your Name:	MCFALL DIANNA LYNN	I am in favor	<input checked="" type="checkbox"/>
Requestor's Proposed Zoning:	CU	Your Address:	1810 LINCOLN DR		
Requestor's Parcel ID:	26986	Your Parcel ID:	18864	I am opposed	<input type="checkbox"/>

Signature: *Diana McFall*



REZONE REQUEST

Case: Z-2026-29

Agent: eHT

Owner: Abilene Christian University

Request: Change the zoning of approximately 0.48 acres from Residential Medium Density (MD) to College University (CU).

Location: Located 1801 Lincoln Drive

Notification: 1 in Favor, 0 in Opposition

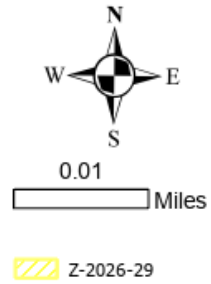
Planning & Zoning: June 2, 2026

Council Hearing: June 11, 2026
June 25, 2026



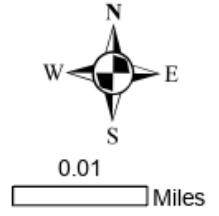
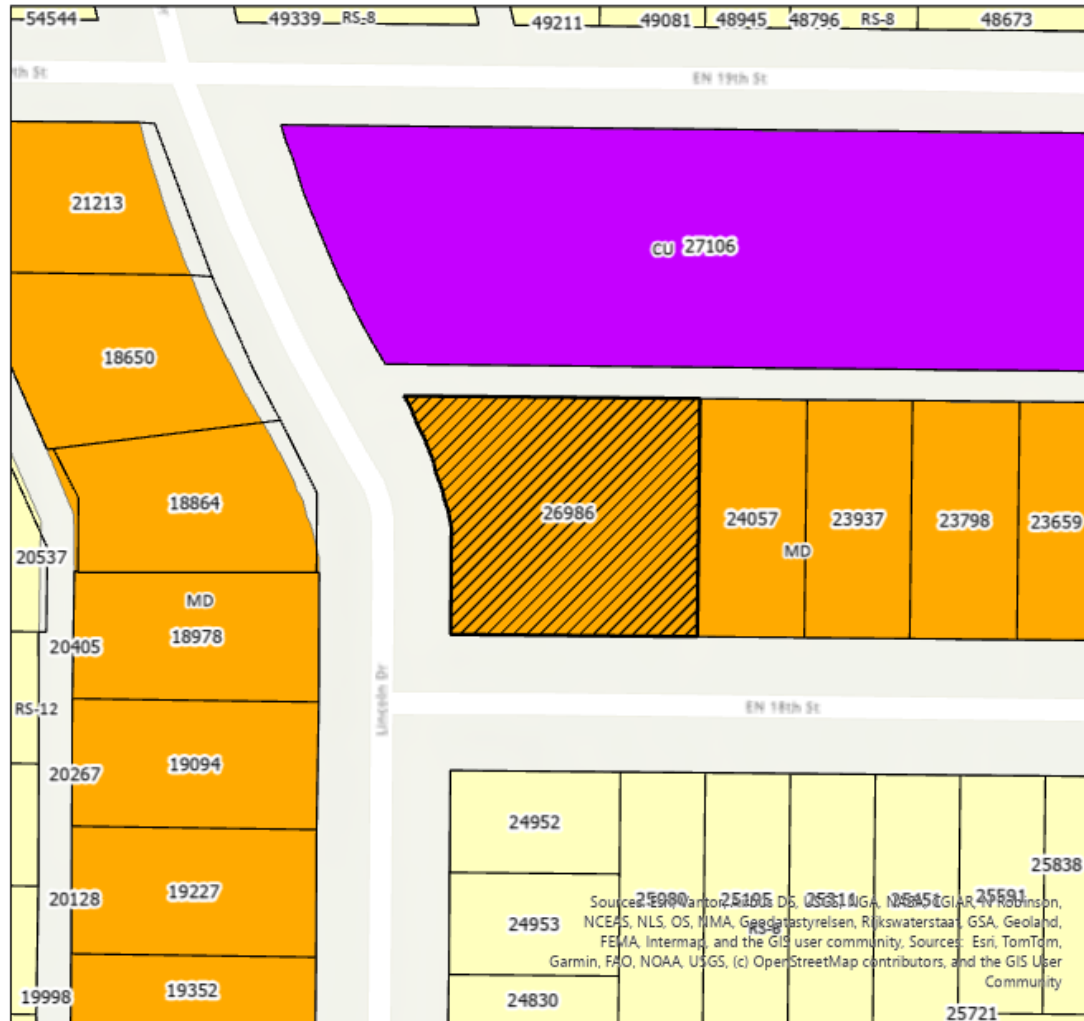


AERIAL LOCATION MAP





ZONING MAP



- Z-2026-29
- Zoning Districts
- CU
 - MD
 - RS-12
 - RS-6
 - RS-8

Source: Esri, DeLorme, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community





PROPERTY VIEWS



Subject Property



East Neighboring Property



West Neighboring Property



North Neighboring Property





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 COLLEGE & UNIVERSITY ZONING

RESIDENTIAL USES:

- P Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Animal Lot
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Building, Mobile (storage and parking)*
- P Recycling Collection Point
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- C Travel Trailers (accessory to hospitals)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- P Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Fire/Police Station
- P Hospital
- P Post Office

EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P School: Public/Private
- P Trade/Business School
- P University/College

TRADE – RETAIL USES:

- P/C Restaurant, Fast Food
- P/C Restaurant, Standard

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- C Antenna Tower – Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Public Utility Facility
- C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

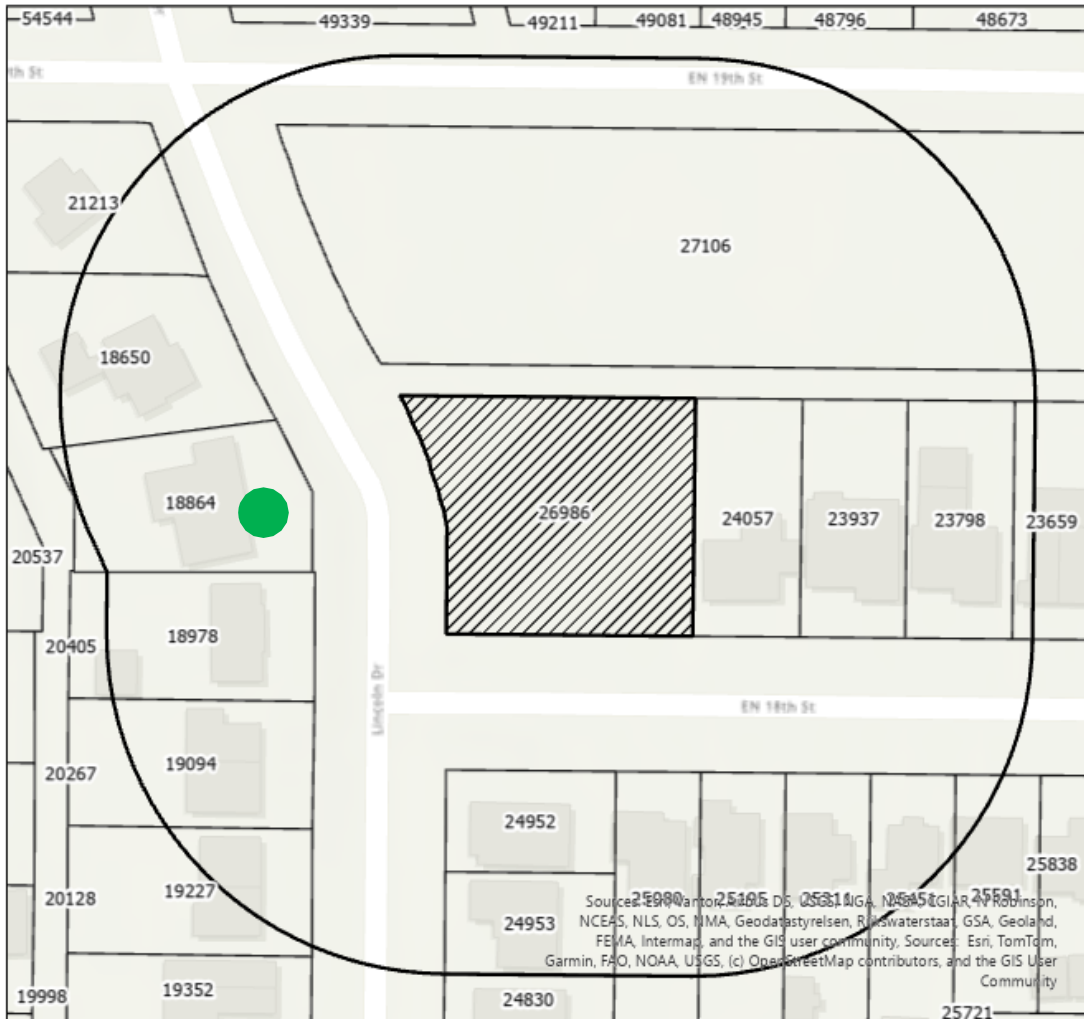
LEGEND

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- C Permitted as a Conditional Use Permit, Requiring Approval by City Council
- TP Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment





NOTIFICATION AREA MAP



0.01 Miles

□ Z-2026-29 Notification Buffer
▨ Z-2026-29

1 - 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 recommends **approval**.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Max Johnson, Director of Public Works

ITEM: 14. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code (*Max Johnson*)

GENERAL INFORMATION

This Ordinance amendment will alter the speed limits set forth in Section 18-285, "Increased Speed Limits" of the Abilene Municipal Code. This modification will change the existing limits of a 45 mph speed zone on Hardwick Road and add a speed limit onto Fairway Oaks Boulevard from Hardwick Road to Antilley Road. The Hardwick Road section between Antilley Road and Fairway Oaks Boulevard will be marked 40 mph. The section of Hardwick Road between Fairway Oaks Boulevard and Beltway South (FM 707) will be marked 35 mph. Lastly, Fairway Oaks Boulevard from Hardwick Road to Antilley Road will be added to the ordinance with a speed limit of 35 mph.

FUNDING/FISCAL IMPACT

Minimal fiscal impact expected. New signs displaying modified speed zones will be posted along designated roadways.

STAFF AND/OR BOARD RECOMMENDATION

Staff recommends modification of the ordinance as supported by speed study of the roadways.

ATTACHMENTS:

1. Red Line - 2026 Hardwick Rd. Speed Limit Changes -- 6-3-2026
2. Black Line - 2026 Hardwick Rd. Speed Limit Changes -- 6-15-2026
3. PROJECT LOCATION MAP
4. Hardwick Rd Speed Limit Slideshow - 6-15-2026

BACKUP DOCUMENTATION UPDATED? No **UPDATED ON:**

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 18, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE XIII, “SCHEDULES,” SECTION 18-285, “INCREASED SPEED LIMITS,” OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY

WHEREAS, Hardwick Road is currently set at a speed of 45 mph from Antilley Road to Beltway South (FM 707); and

WHEREAS, Fairway Oaks Boulevard is currently not included in the ordinance; and

WHEREAS, the City has evaluated speeds posted in the area and made the determination that limits and speeds need to be altered in the table to meet safe travel requirements; and

WHEREAS, there is a need to amend the City Code of Ordinances to implement the recommended changes to the speed limit on Hardwick Road and Fairway Oaks Boulevard.

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

PART 1: That Chapter 18, Article XIII, Section 18-285, “Increased Speed Limits,” 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 affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

PART 3: That any persons 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. 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 FIRST READING this 11th day of June, 2026.

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 21th day of June, 2026, 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 25th day of June, 2026, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 25th day of June, 2026.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

Exhibit A

Sec. 18-285. - Increased speed limits.

In accordance with the terms of this chapter and when signs are erected giving notice thereof, the prima facie speed limits shall be as set forth in this schedule upon those streets or portions of streets named herein and at all times unless otherwise specifically provided:

Street	Extent	Speed (mph)
North 1st St.	From Orange St. to Grape St.	35
	From Grape St. to Main St.	40
South 1st St.	From Treadaway Blvd. to Grape St.	35
	From Grape St. to Leggett Dr.	40
	From Leggett Dr. to Danville Dr.	45
	From Danville Dr. to west City limits	55
North 6th St.	From Shelton St. to Elm Creek	35
South 7th St.	From Pioneer Dr. to Corsicana Ave.	35
	From Corsicana Ave. to Arnold Blvd.	40
East North 10th St.	From FW&D RR to Kenwood Dr.	40
	From Kenwood Dr. to Loop 322	45
North 10th St.	From Treadaway Blvd. to FW&D RR	35
	From Westmoreland St. to North Clack St.	35
	From Clack St. to Wall St.	40
South 11th St.	From South Treadaway Blvd. to Abilene Southern RR	35
East South 11th St.	From Abilene Southern RR to Lytle Acres Dr.	40
	From Lytle Acres Dr. to Judge Ely Blvd.	45
	From Judge Ely Blvd. to Jake Roberts Freeway	55

South 14th St.	From Treadaway Blvd. to Hollis Dr.	35
	From Hollis Dr. to 500 feet west of Pioneer Dr.	40
	From 500 feet west of Pioneer Dr. To Danville Dr.	35
South 25th St.	From Treadaway Blvd. to Maple St.	40
South 27th St.	From Brookhollow Dr. to South Treadaway Blvd.	35
	From South Treadaway Blvd. to Abilene Southern RR	40
East South 27th St.	From Abilene Southern RR to Oldham Ln.	50
Airport Blvd.	From State Highway 36 to Lance Dr.	40
Ambler Ave.	From Judge Ely Blvd. to I-20	50
	From Judge Ely Blvd. to Cottonwood St.	45
	From Cottonwood St. to North Danville Dr.	35
Arnold Blvd.	From S. 1st St. to Military Dr.	40
	From Military Dr. to Hartford St.	45
Antilley Rd.	From US 83/84 to 400 feet west of Directors Prkwy.	35
	From 400 feet west of Directors Prkwy. to west City limits	45
Barrow St.	From S. 7th St. to S. 27th St.	35
Bentley St.	From Lytle Way to Loop 322	40
Buffalo Gap Rd.	From Sayles Blvd. to South 27th St.	35
	From South 27th St. to 300 feet south of Stonecrest Dr.	40
	From 300 feet south of Stonecrest Dr. to 800 feet south of Antilley Rd.	45
	From 800 feet south of Antilley Rd. to Catclaw Creek	50
	From Catclaw Creek to south City limits	55
Butternut St.	From South 1st St. to South Treadaway Blvd.	35
Beltway South	From west City limits to east City limits	55
Catclaw Drive	From S. Clack to Cedar Run Rd.	35

	From Cedar Run Rd. to Rebecca Ln.	40
Clack St., North	From North 10th St. to West Stamford St.	45
	From West Overland Trail to north City limits	45
Clack St., South	From South 7th St. to Hartford St.	45
	From Hartford St. to South 14th St.	40
	From South 14th St. to U.S. 83/84	45
Corsicana Ave.	From alley south of Pueblo Dr. to alley north of Benbrook St.	35
Danville Dr., North	From North 10th St. to West Stamford St.	45
	From West Overland Trail to north City limits	45
Danville Dr., South	From Treadaway Blvd. to Fairmount St.	45
	From Fairmount St. to a point 500 feet south of Steffens St.	40
Dub Wright Blvd.	From US 277 to 1,000 feet south of Jennings Dr.	55
	From 1,000 feet south of Jennings Dr. to Hartford St.	50
East Lake Rd.	From SH 351 to north City limits	55
	SH 351 to Musgrave Blvd.	40
Expo Dr.	From ES 11th St. to 500 feet south of Lytle Way	35
Expo Dr.	From 500 feet south of Lytle Way to Loop 322	40
Fairway Oaks Blvd.	From Antilley Rd. to Hardwick Rd.	35
Five Points Prkwy.	From Fulwiler Rd. to Arnold Blvd.	35
FM 3438	From I-20 to S. 1st St. (US 84)	50
Fulwiler Road	From I-20 to S. 1st St. (US 84)	50
Grape St.	From North 1st St. to Pine St.	35
Hardison Ln.	From Maple St. to Oldham Ln. (FM 1750)	40
Hardwick Rd.	From Antilley Rd. Fairway Oaks Blvd. to Beltway South (FM 707)	45 35
Hardwick Rd.	From Antilley Rd. to Fairway Oaks Blvd.	40

Hartford St.	From Corsicana Ave. to Dub Wright Blvd.	40
Highland Ave.	From South 20th Street to Buffalo Gap Rd.	35
Industrial Blvd.	From Danville Dr. to Treadaway Blvd.	40
	From Loop 322 to Oldham Lane	45
	From Oldham Lane to Georgetown Dr.	40
	From Treadaway Blvd. to Loop 322	50
Judge Ely Blvd.	From E.N. 10th St. to E.N. 16th St.	40
	From Stamford St. to E.N. 16th St.	45
	From E.N. 10th St. to E. Hwy. 80	40
	From E. Hwy. 80 to East South 11th St.	45
Leggett Dr.	From North 1st St. to Elm Creek	35
Loop 322 (Jake Roberts F'way)	From east property line of South Treadaway Blvd. to East Stamford St.	55
Lytle Way	From East South 11th St. to Loop 322	40
Maple St.	From East South 11th St. to east South 27th St.	40
	From East South 27th St. to Loop 322	50
	Loop 322 to 1500 feet north of Colony Hill Rd.	50
	1500 feet north of Colony Hill Rd. to Beltway South	40
Military Dr.	From Chapel Hill Rd. to west City limits	45
Mockingbird Blvd.	From South 3rd St. to North 3rd St.	35
Mockingbird Lane	From South 3rd St. to South 7th St.	35
	From North 3rd St. to Vogel Ave.	35
Musgrave Blvd.	East Lake Road to Scottish Road	35
Old Anson Rd.	From Ambler Ave. to I-20	40
	From I-20 to Winters Freeway	45

Oldham Ln.	From E.S. 11th St. to Berry Lane	45
	From Berry Ln. to 200 ft. south of Cornell Dr.	50
	From 200 ft. south of Cornell Dr. to 1,250 ft. north of City limits	55
	From 1,250 ft. north of City limits to south City limits	60
Overland Trail, East	From FW&D RR to east City limits	45
Overland Trail, West	From entrance ramp west of Shirley Rd. to North Clack St.	45
	From entrance ramp west of Shirley Rd. to west City limits	55
	From N. Danville Dr. to Old Anson Rd.	45
Pine St.	From North 6th St. to Lowden St.	35
	From Lowden St. to Huckleberry Ln.	45
	From Huckleberry Ln. to north City limits	55
Pioneer Dr.	From North 1st St. to North 10th St.	40
	From South 1st St. to South 14th St.	35
Rebecca Ln.	From Buffalo Gap Rd. to Catclaw Dr.	40
	From Catclaw Dr. to 1,000 feet west of Catclaw Dr.	45
	From 1,000 feet west of Catclaw Dr. to U.S. 277	55
Ridgemont Dr.	From Clack St. to Rebecca Ln.	35
SH 36	From Jake Roberts Freeway to south City limits	55
SH 351	From I-20 to 0.1 mile east of East Lake Rd.	50
	From 0.1 mile of East Lake Rd. to east City limits	55
Sayles Blvd.	From South 1st St. to Industrial Blvd.	35
Southwest Dr.	From Brookhollow Dr. to S. Clack St.	35
	From Clack St. to 1,000 feet northeast of Sharon Rd.	40
	From 1,000 feet northeast of Sharon Road to 200 feet southwest of Elm Creek	45
	From 200 feet southwest of Elm Creek to Rebecca Lane	55

Stamford St., East	From FW&D RR to east City limits	45
Stamford St., West	From exit ramp west of Shirley Rd. to west City limits	55
	From North Clack St. to exit ramp west of Shirley Rd.	45
	From Old Anson Rd. to Danville Dr.	45
T & P Lane	From E. Hwy. 80 to E.S. 11th St.	35
Texas Ave.	From U.S. 277 to Denton St.	35
	From Denton St. to Corsicana Ave.	40
	From Corsicana Ave. to Dub Wright Blvd.	45
Transformer Trail	From Wise St. to T & P R.R.	40
Treadaway Blvd.	From North 4th St. to Pine St.	40
	From South 3rd St. to South 11th St.	40
	From South 11th St. to South 32nd St.	45
	From South 32nd St. to 500 feet south of Executive Dr.	50
	From 500 feet south of Executive Dr. to south City limits	55
E. Hwy. 80	From Judge Ely Blvd. to 400 feet west of Cockerell St.	40
	From Judge Ely Blvd. to Northway Dr. (eastbound)	55
	From east City limits to Northway Dr.	55
	From Northway Dr. to Judge Ely Blvd. (westbound)	45
U.S. 277	From Danville Dr. to Texas Ave.	40
	From Texas Ave. to 200 feet south of Twilight Tr.	45
	From 200 feet south of Twilight Tr. to south City limits	55
Vogel Avenue	From Old Anson Rd. to Mockingbird Lane	35
Waldrop Drive	Hardwick Rd. to Clack St.	40
West Lake Rd.	From Ambler to 1,000 feet north	40
	From 1,000 feet north of Ambler Ave. to Anson Ave.	50

	From Anson Ave. to Stamford St.	40
	From Stamford St. to 500 feet north of Trailway Dr.	50
	From 500 feet north of Trailway Dr. to north City limits	55
Willis St.	From North 1st St. to North 12th St.	35
Zoo Lane	From Judge Ely Blvd. to Loop 322	40

ORDINANCE NO. _____

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ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

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	From Leggett Dr. to Danville Dr.	45
	From Danville Dr. to west City limits	55
North 6th St.	From Shelton St. to Elm Creek	35
South 7th St.	From Pioneer Dr. to Corsicana Ave.	35
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	From Lytle Acres Dr. to Judge Ely Blvd.	45
	From Judge Ely Blvd. to Jake Roberts Freeway	55

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	From Hollis Dr. to 500 feet west of Pioneer Dr.	40
	From 500 feet west of Pioneer Dr. To Danville Dr.	35
South 25th St.	From Treadaway Blvd. to Maple St.	40
South 27th St.	From Brookhollow Dr. to South Treadaway Blvd.	35
	From South Treadaway Blvd. to Abilene Southern RR	40
East South 27th St.	From Abilene Southern RR to Oldham Ln.	50
Airport Blvd.	From State Highway 36 to Lance Dr.	40
Ambler Ave.	From Judge Ely Blvd. to I-20	50
	From Judge Ely Blvd. to Cottonwood St.	45
	From Cottonwood St. to North Danville Dr.	35
Arnold Blvd.	From S. 1st St. to Military Dr.	40
	From Military Dr. to Hartford St.	45
Antilley Rd.	From US 83/84 to 400 feet west of Directors Prkwy.	35
	From 400 feet west of Directors Prkwy. to west City limits	45
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Bentley St.	From Lytle Way to Loop 322	40
Buffalo Gap Rd.	From Sayles Blvd. to South 27th St.	35
	From South 27th St. to 300 feet south of Stonecrest Dr.	40
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	From Catclaw Creek to south City limits	55
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	From Oldham Lane to Georgetown Dr.	40
	From Treadaway Blvd. to Loop 322	50
Judge Ely Blvd.	From E.N. 10th St. to E.N. 16th St.	40
	From Stamford St. to E.N. 16th St.	45
	From E.N. 10th St. to E. Hwy. 80	40
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	From Clack St. to 1,000 feet northeast of Sharon Rd.	40
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Texas Ave.	From U.S. 277 to Denton St.	35
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	From Corsicana Ave. to Dub Wright Blvd.	45
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	From South 3rd St. to South 11th St.	40
	From South 11th St. to South 32nd St.	45
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	From 500 feet south of Executive Dr. to south City limits	55
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	From Judge Ely Blvd. to Northway Dr. (eastbound)	55
	From east City limits to Northway Dr.	55
	From Northway Dr. to Judge Ely Blvd. (westbound)	45
U.S. 277	From Danville Dr. to Texas Ave.	40
	From Texas Ave. to 200 feet south of Twilight Tr.	45
	From 200 feet south of Twilight Tr. to south City limits	55
Vogel Avenue	From Old Anson Rd. to Mockingbird Lane	35
Waldrop Drive	Hardwick Rd. to Clack St.	40
West Lake Rd.	From Ambler to 1,000 feet north	40
	From 1,000 feet north of Ambler Ave. to Anson Ave.	50

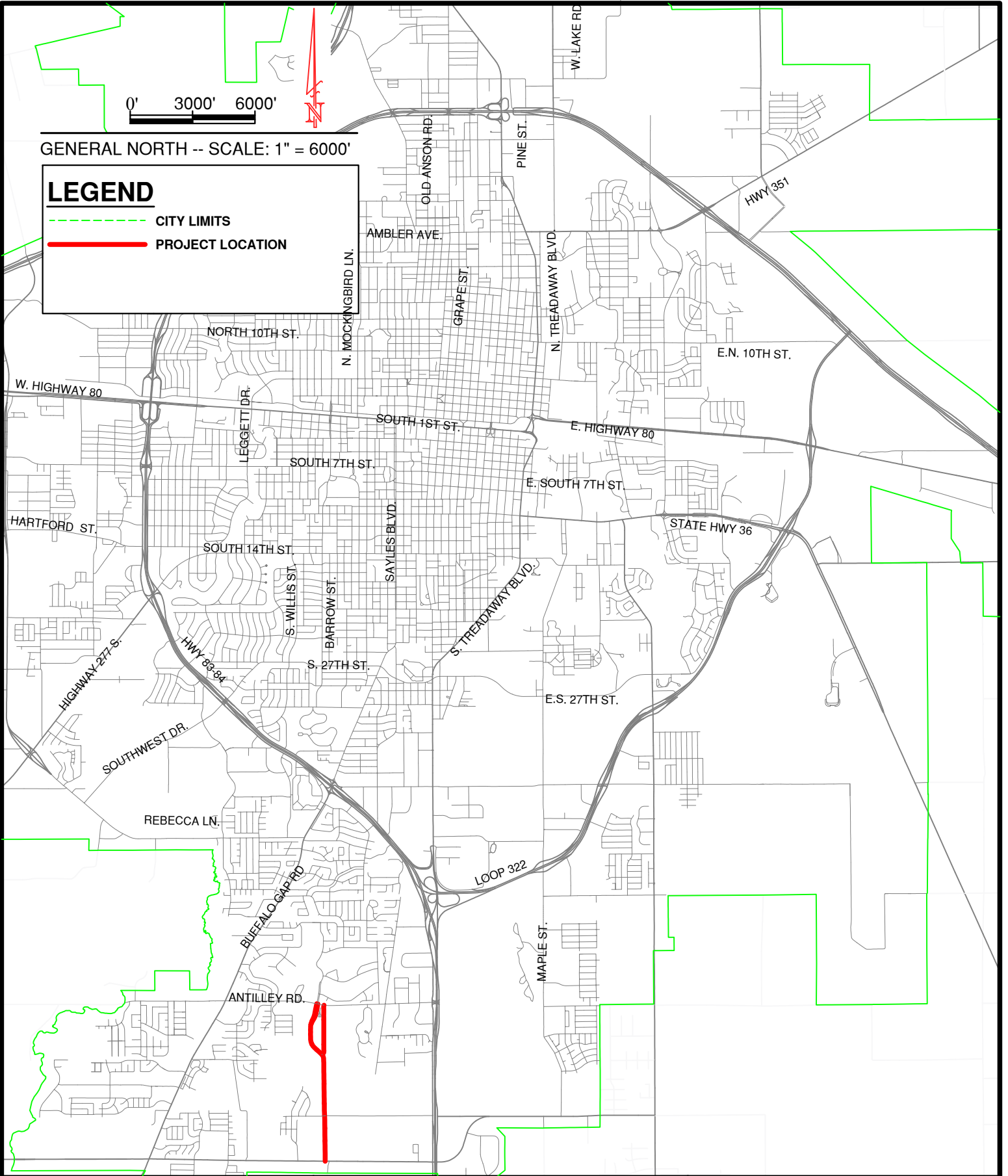
	From Anson Ave. to Stamford St.	40
	From Stamford St. to 500 feet north of Trailway Dr.	50
	From 500 feet north of Trailway Dr. to north City limits	55
Willis St.	From North 1st St. to North 12th St.	35
Zoo Lane	From Judge Ely Blvd. to Loop 322	40

0' 3000' 6000'

GENERAL NORTH -- SCALE: 1" = 6000'

LEGEND

- CITY LIMITS
- PROJECT LOCATION



Sheet
1
of
1

CITY OF ABILENE, TEXAS
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

**PROPOSED HARDWICK/FAIRWAY OAKS
SPEED LIMIT CHANGES**

Designed By: M. MILLER

Drawn By: M. MILLER

Checked By: M. JOHNSON

NOT TO SCALE

Computer File Name:
Project Location Map

Date: APRIL 2026

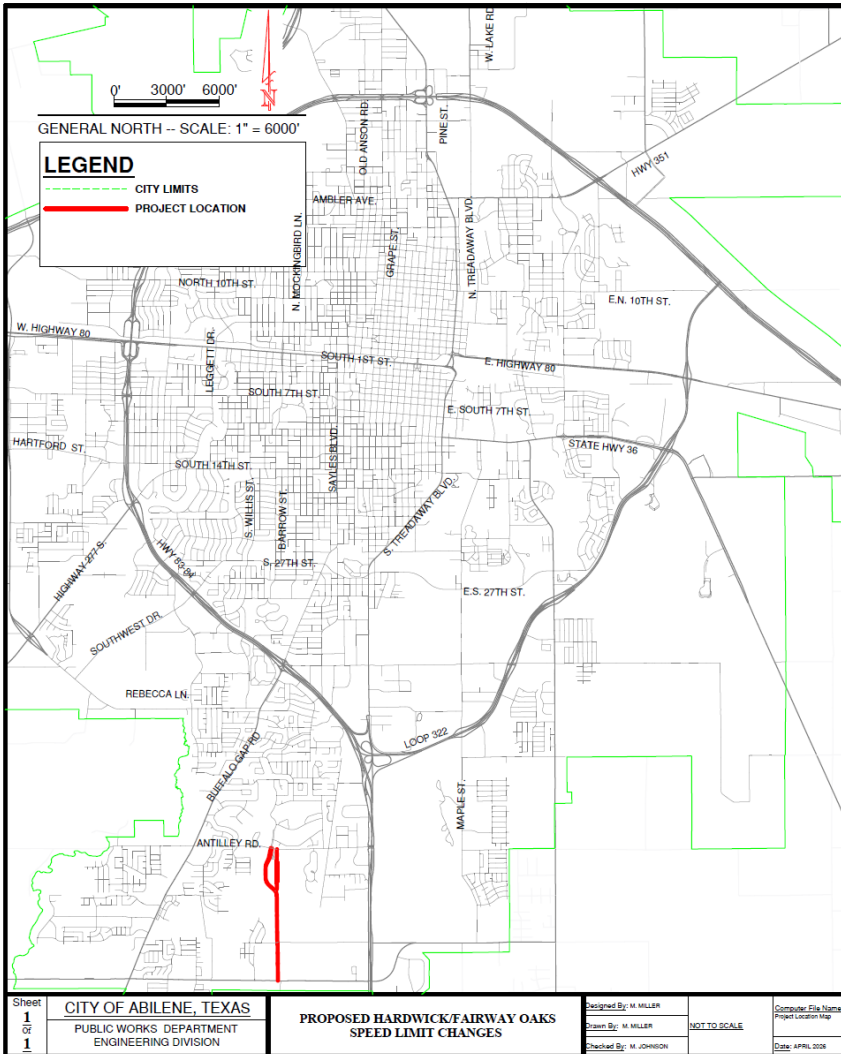
**Ordinance (Final Reading): Amending
Chapter 18, “Motor Vehicles and Traffic,”
Article XIII, “Schedules,” Section 18-285,
“Increased Speed Limits” of the Abilene
Municipal Code**

(Max Johnson)





Ordinance: Amending Code For Speed Limit Modification on Hardwick Road and Fairway Oaks Boulevard



Limits

40 mph – Hardwick Road from Antilley Road to Fairway Oaks Boulevard

35 mph - Hardwick Road from Beltway South (FM 707) to Fairway Oaks Boulevard

35 mph - Fairway Oaks Boulevard from Hardwick Road to Antilley Road





Ordinance: Amending Code For Speed Limit Modification on Hardwick Road and Fairway Oaks Boulevard

- Includes:
 - Modification of speed limit on Hardwick Road between Antilley Road and Fairway Oaks Boulevard from 45 mph to 40 mph.
 - Modifies speed limit on Hardwick Road between Fairway Oaks Boulevard to Beltway South (FM 707) from 45 mph to 35 mph.
 - Adds speed limit of 35 mph on Fairway Oaks Boulevard from Antilley Road to Hardwick Road.





Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Marjorie Knight, Director of Finance

ITEM: 15. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Ordinance Authorizing the Issuance of City of Abilene, Texas, General Obligation Bonds, Series 2026 (AMT); Establishing Procedures and Delegating Authority for the Sale and Delivery of the Bonds; Providing an Effective Date; and Enacting Other Provisions Relating to the Subject (Marjorie Knight)

GENERAL INFORMATION

Funding Overview for the Airport Terminal Project

This agenda item is a parameters ordinance authorizing the issuance of General Obligation bonds for the Airport for an amount not to exceed \$15 million.

In May 2025, Abilene voters approved \$20 million in General Obligation bonds to support the Airport Terminal Project. This issuance represents the first of two anticipated bond issuances and will provide funding for Phase I of the project, which includes expansion of the existing holdrooms and reconfiguration of the terminal to provide additional space for the security checkpoint.

Timing of Bond Authorization

Although final construction costs for Phase I are not yet known, staff is requesting authorization at this time due to budget and debt issuance timing requirements. To include the debt service associated with this bond issuance in the Fiscal Year 2027 Interest and Sinking (I&S) tax rate, Council authorization is needed prior to tax rate calculations.

Construction bids are expected to be received in late June, which will provide a more refined estimate of the total project cost and the amount of local funding required. Staff anticipate having the final financing amount needed for Phase I at that time.

The proposed ordinance authorizes the issuance of bonds in an amount not to exceed \$15 million; however, the City will only issue the amount necessary to fund the local share of Phase I. This approach allows the City to meet critical budget deadlines while maintaining flexibility to issue only the amount needed based on final project costs and available grant funding. If final construction costs require less than \$15 million in local funding, only the amount needed will be issued, leaving additional voter-authorized bond capacity available for subsequent phases of the project.

The estimated annual debt service associated with a \$15 million issuance is approximately \$1.2 million.

Funding Plan – Phase I

The current estimated cost of Phase I is approximately \$20.846 million. To date, the City has secured approximately \$10.771 million in Federal Aviation Administration (FAA) grant funding for the project. The remaining local share of Phase I will be

funded through the issuance of voter-approved General Obligation bonds, as presented in the proposed ordinance.

Funding Plan – Phases II and III

Phases II and III of the Airport Terminal Project are anticipated to be funded through a combination of:

- Remaining voter-approved General Obligation bond proceeds;
- Annual FAA entitlement grants; and
- FAA discretionary grants with potential for multi-year commitment through an FAA Small Airport Letter of Intent (SALOI)
- Airport project funds (PFC)

FAA entitlement grants are formula-based allocations provided annually to eligible airports. Based on current funding levels, the Airport anticipates receiving approximately \$1.3 million annually in entitlement funding throughout the project period. These grants provide a predictable source of federal assistance and will continue to be an important component of the overall funding strategy.

The Airport will also continue pursuing FAA discretionary grants. Unlike entitlement grants, discretionary grants are awarded competitively and may vary significantly from year to year based on national airport system priorities, project eligibility, and available federal funding. Discretionary grant funding represents approximately 72% of project funding. However, future award amounts cannot be predicted with certainty absent a formal FAA funding commitment.

Small Airport Letter of Intent (SALOI)

To provide greater certainty regarding future discretionary funding, the City submitted an application to the FAA in February 2026 for a Small Airport Letter of Intent (SALOI).

A SALOI is a funding commitment mechanism established by the FAA for eligible airport development projects at smaller airports. Through a SALOI, the FAA identifies a schedule of future discretionary grant funding over multiple years. While each year's funding remains subject to federal appropriations, the SALOI provides airports with substantially greater certainty regarding future discretionary grant awards and allows projects to advance before all grant funds have been received.

The primary benefit of the SALOI is that it establishes a predictable federal funding stream that can be incorporated into the City's long-term project financing strategy. This certainty would allow the City to coordinate the timing of Phases II and III with anticipated FAA funding and proceed with greater confidence in the overall project delivery schedule.

An additional benefit of the SALOI is that FAA discretionary funding associated with the agreement may be used to reimburse eligible debt-service costs on short-term financing instruments. This creates an opportunity for the City to utilize short-term bridge financing to fund the project phases in sequence versus extending timelines to match construction with FAA funding. Under this approach, the City could proceed with a defined construction schedule, utilize short-term financing for interim cash flow purposes, and subsequently repay that financing with discretionary grant funds received under the SALOI schedule.

This approach would allow the Airport Terminal Project to remain within a defined schedule while maximizing federal participation without impacting the City's tax rate. Should the City receive a SALOI award, staff will evaluate future construction schedules and financing options to align project delivery with the FAA funding timeline and maximize the use of available federal resources.

The combination of voter-approved bond proceeds, annual entitlement grants, future discretionary grants, and the potential SALOI provides a comprehensive funding strategy for completion of all phases of the Airport Terminal Project while maximizing available federal participation.

The ordinance also delegates authority to the City Manager and Finance Director to act on behalf of the City in selling and delivering the bonds under certain "parameters". The "parameters" include principal in an amount not to exceed \$15 million, true interest cost not to exceed 5.25%, and a final maturity date no later than February 15, 2051.

FUNDING/FISCAL IMPACT

The bonds will be repaid from annual ad valorem taxes. The estimated annual debt service associated with a \$15 million issuance is approximately \$1.2 million.

Using preliminary value estimates, the tax rate impact of this issuance is estimated at \$0.0093 per \$100 valuation. Due to the anticipated increase in the City's taxable values, staff does not expect the issuance to increase the overall I&S tax rate for FY2027. Final debt service and tax rate impacts will be included with the FY2027 Budget.

STAFF AND/OR BOARD RECOMMENDATION

ATTACHMENTS:

- 1. Abilene Parameters Ordinance - 2026 Airport GO - AGENDA
- 2. Presentation - Ordinance Approving the Issuance and Sale of 2026 GO Bonds

BACKUP DOCUMENTATION UPDATED? No UPDATED ON:

acquiring lands, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto and (iii) paying costs of issuance of the Bonds (collectively, the “Project”).

(c) Each bond issued pursuant to this Ordinance shall be designated: “CITY OF ABILENE, TEXAS, GENERAL OBLIGATION BOND, SERIES 2026 (AMT),” or such other designation as set forth in the Pricing Certificate (defined below) and initially there shall be issued, sold, and delivered hereunder one fully registered bond, without interest coupons, with bonds issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the initial bond being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the “Registered Owner”). The Bonds shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate (defined below).

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapter 1371, Texas Government Code, as amended, the Mayor, City Manager and the Finance Director of the Issuer (each a “Pricing Officer”) are each hereby authorized to act on behalf of the Issuer in selling and delivering the Bonds, carrying out the other procedures specified in this Ordinance, including, determining the date of the Bonds, any additional or different designation or title by which the Bonds shall be known, whether the Bond shall be sold and delivered in one or more series and the date and sale and delivery of each such series, the amount of Bonds to be sold and the authorized purposes set forth in Section 1 for which such Bonds are issued, the price at which the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bonds and obtaining municipal bond insurance for all or any portion of the Bonds and providing for the terms and provisions thereof applicable to the Bonds (including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements), all of which shall be specified in the Pricing Certificate executed by the Pricing Officer (the “Pricing Certificate”); provided that:

- (i) the aggregate principal amount of the Bonds shall not exceed \$15,000,000;
- (ii) the true interest cost of the Bonds shall not exceed 5.25% per annum; provided that the net effective interest rate on the Bonds shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;
- (iii) the final maturity of the Bonds shall not be later than February 15, 2051; and
- (iv) the delegation made hereby shall expire if not exercised by the Pricing Officer within one (1) year from the date of adoption hereof.

(b) In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Bonds are authorized and to pay costs of issuing the Bonds. The Bonds shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) The Pricing Officer shall determine whether the Bonds will be sold by private placement or negotiated or competitive sale.

Section 3. CHARACTERISTICS OF THE BONDS.

(a) Appointment of Paying Agent/Registrar. The selection and appointment of the paying agent/registrar for the Bonds (the “Paying Agent/Registrar”) shall be as provided in the Pricing Certificate. The Pricing Officer is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bonds (the “Registration Books”), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three (3) days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar’s standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in this Section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a “Special Record Date”) will be established by the Paying Agent/Registrar,

if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than one hundred-twenty (120) days written notice to the Paying Agent/Registrar, to be effective not later than sixty (60) days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof and the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as otherwise provided in this Section, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds. Notwithstanding anything to the contrary contained herein, while the Bonds are subject to DTC's Book-Entry Only System and to the extent

permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Bonds Registered in the Name of Cede & Co. With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created (“DTC Participant”) to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words “Cede & Co.” in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Bonds. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bonds initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar’s Authentication Certificate, in the FORM OF BOND set forth in this Ordinance.

(n) Cancellation of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the purchaser designated in the Pricing Certificate, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and signed in accordance with law by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for such initial Bond, the Paying Agent/Registrar shall cancel such initial Bond and deliver to DTC on behalf of such purchaser one registered definitive Bond for each year of maturity of such Bonds, in the aggregate principal amount of all of the Bonds for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 4. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Bond.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

CITY OF ABILENE, TEXAS
GENERAL OBLIGATION BOND
SERIES 2026 (AMT)

PRINCIPAL
AMOUNT
\$ _____

INTEREST RATE	DELIVERY DATE	MATURITY DATE	CUSIP NO.
_____	_____	_____	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

ON THE MATURITY DATE specified above, the City of Abilene, in Taylor and Jones Counties, Texas, (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____ at the Interest Rate per annum specified above. Interest is payable on _____, _____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication

hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, _____, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the _____ day of the month (whether or not a business day) preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

IF THE DATE for any payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated _____, _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$ _____ for the public purposes of (i) designing, expanding, constructing, renovating, improving, upgrading, updating, and equipping airport improvements at the City's airport, including the terminals, runways, taxiways, roadways, aprons, fuel centers, parking lots, and other facilities incident and related to the operation of the City's airport, and acquiring lands, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; and (iii) paying costs of issuance of the Bonds.

ON _____, or on any date thereafter, the Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE BONDS scheduled to mature on _____ in the years ____ and ____ (the “Term Bonds”) are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Bonds, on the dates and in the respective principal amounts, set forth in the following schedule:

Mandatory Redemption Date	Principal Amount(\$)
------------------------------	-------------------------

*
* Stated Maturity.

The principal amount of Term Bonds of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Bonds of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST THIRTY (30) DAYS prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least thirty (30) days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the business day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is

sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Ordinance.

WITH RESPECT TO ANY OPTIONAL REDEMPTION OF THE BONDS, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a notice of conditional redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

ALL BONDS OF THIS SERIES are issuable solely as fully registered Bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Bond Ordinance, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within forty-five (45) days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will

appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a Bond, Bonds, or a portion of a Bond or Bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____

[_____ PAR _____]
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT

(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Bond and that this Bond has been registered this day by me.

Witness my signature and seal this _____

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) Initial Bond Insertions.

(i) The initial Bond shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings “Interest Rate” and “Maturity Date” shall both be completed with the words “As shown below” and “CUSIP No. _____” shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

“THE CITY OF ABILENE, TEXAS, in Taylor and Jones Counties, Texas (the “Issuer”), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the “Registered Owner”), on _____ in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years(_/_)</u>	<u>Principal Installments(\$)</u>	<u>Interest Rates(\$)</u>
-------------------	-----------------------------------	---------------------------

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the _____ at the respective Interest Rate per annum specified above. Interest is payable on _____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.”

C. The Initial Bond shall be numbered “T-1.”

Section 5. INTEREST AND SINKING FUND.

(a) A special “Interest and Sinking Fund” is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bonds. All amounts received from the sale of the Bonds as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Bonds are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bonds as such principal matures (but never less than 2% of the original amount of said Bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bonds are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the

payment of the interest on and principal of said Bonds, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) Notwithstanding the requirements of this section, if lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the taxes under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the taxes under this Section is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the registered owners of the Bonds a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Bonds, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities.. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited,

shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsections (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Bonds. The Pricing Officer may restrict Defeasance Securities as deemed necessary.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by

anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor or Pricing Officer of the Issuer is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually, by facsimile, electronically or otherwise, sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bonds is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.

(a) Covenants. The City covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(1) to take such action or refrain from such action which would result in the Bonds not being "exempt facility bonds" as the term is defined in section 142 of the Code; in particular, which would result in less than 95 percent of the net proceeds being used to provide an "airport" within the meaning of section 142(a)(1) of the Code;

(2) to take such action to assure at all times while the Bonds remain outstanding, the facilities, directly or indirectly, financed with the proceeds thereof will be owned by a governmental unit;

(3) that no part of the facilities, directly or indirectly, financed with the proceeds of the Bonds will constitute (A) any lodging facility, (B) any retail facility (including food or beverage facilities) in excess of a size necessary to serve passengers and employees at the exempt facility, (C) any retail facility (other than parking) for passengers or the general public located outside the exempt facility terminal, (D) any office building for individuals who are not employees of a governmental unit or of the operating authority for the exempt facility, (E) any industrial park or manufacturing facility, or (F) any residential real property for family units;

(4) that the maturity of the Bonds does not exceed 120 percent of the economic life of the facilities, directly or indirectly, financed with the proceeds of the Bonds, as more specifically set forth in section 147(b) of the Code;

(5) that fewer than 25 percent of the proceeds of the Bonds will be used for the acquisition of land or an interest therein, unless such land is acquired for noise abatement or wetland preservation or the future use of the Airport, and there is no other significant use of such land;

(6) that any property acquired, directly or indirectly, with the proceeds of the Bonds was not placed-in-service prior to such acquisition unless the provisions of section 147(d) of the Code, relating to rehabilitation, are satisfied;

(7) that the costs of issuance to be financed with the proceeds of the Bonds do not exceed two (2) percent of the proceeds of the Bonds;

(8) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(9) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bonds, other than investment property acquired with --

(A) proceeds of the Bonds invested for a reasonable temporary period, within the meaning of Section 148 of the Code, of 3 years or less until such proceeds are needed for the purpose for which the bonds are issued,

(B) proceeds or amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the stated principal amount (or, in the case of a discount, the issue price) of the Bonds;

(10) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, to satisfy the requirements of section 148 of the Code (relating to arbitrage); and

(11) to create and maintain a Rebate Fund, as required below, to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(12) to maintain such records as will enable the City to fulfill its responsibilities under this section and section 148 of the Code and to retain such records for at least six years following the final payment of principal and interest on the Bonds.

In order to facilitate the requirements of subsection (11) of this Section, the Rebate Fund shall be established and maintained by the Board, on behalf of itself and the City, for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other Person, including Holders and Credit Providers. Amounts on deposit in the Rebate Fund in accordance with section 148 of the Code shall be paid periodically to the United States of America in such amounts and at such times as are required by said section.

(b) Proceeds. The City understands that the term "proceeds" includes "disposition proceeds," as defined in the Treasury Regulations, and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bonds. It is the understanding of the City that the covenants contained in this Ordinance are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify, or expand provisions of the Code, as applicable to the Bonds, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code.

(c) Disposition of Project. The City covenants that the property constituting the projects financed or refinanced with the proceeds of the Refunded Bonds will not be sold or otherwise disposed in a transaction resulting in the receipt by the City of cash or other compensation, unless the City obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect

the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest on the Bonds.

(d) Allocation of, and Limitation on, Expenditures for the Project. The City covenants to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in Section __ of this Ordinance (the "Project") on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed. The foregoing notwithstanding, the Issuer shall not expend sale proceeds or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired, unless the City obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the tax-exempt status of the Bonds. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest on the Bonds.

Section 10. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) Each series of Bonds shall be sold and delivered subject to the provisions of Section 1 and Section 2 and pursuant to the terms and provisions of a purchase agreement or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the initial purchaser or purchasers (the "Underwriters") of the Bonds shall be designated. The Bonds shall initially be registered in the name of the Underwriters thereof as set forth in the Pricing Certificate.

(b) The Mayor and City Secretary and any Pricing Officer are further authorized and directed to execute and deliver for and on behalf of the Issuer copies of a Preliminary Official Statement and Official Statement, if prepared in connection with the offering of Bonds by the Underwriters, in final form as may be required by the Underwriters, and such final Official Statement in the form and content as approved by the Pricing Officer or as manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters. The form and substance of the Preliminary Official Statement for the Bonds and any addenda, supplement or amendment thereto, all as approved by the Pricing Officer, are hereby deemed to be approved in all respects by the City Council, and the Preliminary Official Statement is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purpose of paragraph (b)(1) of the Rule (hereinafter defined).

(c) The Pricing Officer is authorized, in connection with effecting the sale of each series of the Bonds, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Bonds. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer.

(d) The Mayor and Mayor Pro Tem, the City Secretary and the Pricing Officers of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time

and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer all other such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale of the Bonds and the Official Statement. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds shall be used along with other Bond proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on Bond proceeds that are required to be rebated to the United States of America in order to prevent the Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2026 General Obligation Bond Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Bonds (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six (6) months after the end of each fiscal year ending in or after 2026, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide audited financial statements when and if available, and in any event, within twelve (12) months after the end of each fiscal year ending in or after 2026.

If the audit of such financial statements is not complete within twelve (12) months after any such fiscal year end, then the Issuer will file unaudited financial statements within such twelve (12) month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in the appropriate appendix to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten (10) business days after the occurrence of the event) of any of the following events with respect to the Bonds:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Issuer;
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation of the Issuer, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of any such financial obligation of the Issuer, any of which reflect financial difficulties.

As used in clause 12 above, the phrase “bankruptcy, insolvency, receivership or similar event” means the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of the Issuer, or if jurisdiction has been assumed by leaving the existing City Council and officials or officers of the Issuer in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer. For the purposes of the above describe event notices 15 and 16, the term “financial obligation” means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

(ii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (a) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this

Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a qualified person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Bonds. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount 51% of the aggregate principal amount of then outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the outstanding Bonds;

- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Bonds;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of the Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail or other appropriate means to each registered owner of the affected Bonds a copy of the proposed amendment. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Bonds.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

(g) For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 16. APPROPRIATION. To pay the debt service coming due on the Bonds, if any (as determined by the Pricing Officer) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 17. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 18. NO PERSONAL LIABILITY. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the Issuer or any person executing any Bond.

Section 19. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

[Execution Page Follows]

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS, this 25th day of June, 2026.

ATTEST:

Mayor, City of Abilene, Texas

City Secretary, City of Abilene, Texas

[CITY SEAL]

APPROVED AS TO FORM:

City Attorney

Ordinance - Issuance and Delegating Authority for Sale of 2026 General Obligation Bonds for the Airport Terminal Project



Issuance of 2026 General Obligation Bonds for Airport

- The ordinance authorizes issuance of up to **\$15 million voter approved** General Obligation Bonds for **Phase I** of the Airport Terminal Project
- Phase I Scope
 - Expand terminal holdrooms
 - Reconfigure terminal layout
 - Increase security checkpoint space
- Why Approval Now?
 - Required for FY2027 budget planning and tax rate calculations
 - Construction bids are being finalized
 - Authorization provides flexibility; the City will issue **only the amount needed** after costs are confirmed



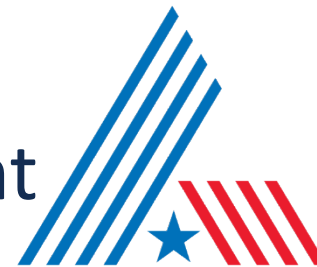
Issuance of 2026 General Obligation Bonds for Airport

Phase I Funding

- Project Cost: \$20.8M
- FAA Grants Secured: \$10.7M
- Local Share: Funded through voter-approved GO Bonds

Future Phases (II and III)

- Funding strategy combines:
 - Remaining voter-approved bond authority
 - Annual FAA entitlement grants
 - FAA discretionary grants
 - Potential FAA Small Airport Letter of Intent (SALOI) funding commitment



CITY OF
ABILENE
T E X A S

Small Airport Letter of Intent (SALOI)

- **What is a SALOI?**

- An FAA commitment to provide anticipated discretionary grant funding over multiple years for eligible airport projects.
- While subject to annual federal appropriations, a SALOI provides greater certainty regarding future FAA funding.

- **Why is it Beneficial?**

- **Improves Funding Certainty** – Supports long-term planning and reduces reliance on annual grant awards.
- **Supports Defined Project Schedule** – Allows projects to move forward in sequence
- **Provides Financing Flexibility** – Future grant funds may be used to reimburse eligible debt-service costs, supporting short-term financing if needed.
- **Maximizes Federal Participation** – Helps leverage FAA funding while minimizing local financial impact.



Issuance of 2026 General Obligation Bonds for Airport

Example Funding Plan Scenario	Phase I	Phase II			Phase III	FY2031	FY2032	Total
	FY2026	FY2027	FY2028	FY2029	FY2030			
Funding:								
FAA Entitlement Grants	\$1.9M	\$1.3M	\$1.3M	\$1.3M	\$1.3M	\$1.3M	\$0.9M	\$9.3M
FAA Discretionary Grants (Awarded)	8.8M	-	-	-	-	-	-	8.8M
Voter Approved Bonds	10.1M	-	6.6M	2.0M	1.3M	-	-	20.0M
Airport Project Funds (PFC)	-	-	-	-	.7M	1.6M	.3M	2.6M
FAA Discretionary (SALOI)	-	10.0M	8.0M	3.5M	3.5M	2.4M	-	27.4M
Short-term Bridge Financing	-	-	4.0M	7.0M	-	-	(11.0M)	-
Total Project Funding	20.8M	11.3M	19.9M	13.8M	6.8M	5.3M	(9.8M)	68.1M
Less Project Costs		(20.5M)	(31.1M)	(13.3M)	(\$3.2M)	-		(68.1M)
Cumulative Funding Over (Under)	20.8M	11.6M	.4M	.9M	4.5M	9.8M	-	-

If awarded the FAA Small Airport Letter of Intent (SALOI), the above is an example of a funding scenario and timeline if combined with short-term bridge financing.



Issuance of 2026 General Obligation Bonds for Airport

Bond Parameters & Impact

- Not to exceed **\$15M**
- Maximum True Interest Cost: **5.25%**
- Final maturity no later than **Feb. 15, 2051**
- Estimated annual debt service: **\$1.2M**

Final debt service and tax rate impact will be presented with the FY2027 Budget



Questions?





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Emily Crawford, City Manager
FROM: Mari Cockerell, Communications Manager
ITEM: 16. Presentation: Overview of the New SeeClickFix App *(Mari Cockerell)*

GENERAL INFORMATION

The City of Abilene has launched a customized app giving residents direct access to the SeeClickFix platform used to submit various service requests or needs directly to City of Abilene staff. This presentation is an informative review of the existing SeeClickFix platform and how it can now be used through the City of Abilene app, along with links to other City of Abilene services and information points available within the City of Abilene app.

FUNDING/FISCAL IMPACT

The implementation of the new, customized City of Abilene app came at a cost of \$5,958.33, and was paid for out of the Communications and Marketing Department's FY2026 budget via the Tech Fund. The City of Abilene app and SeeClickFix's functionality within it will renew at an annual rate of \$6,500 and is accounted for in the department's FY27 budget. The implementation of the City of Abilene app has also allowed for the elimination of the City's existing MyABI Mobile app, which brings an annual cost savings of \$4,256.74.

STAFF AND/OR BOARD RECOMMENDATION

ATTACHMENTS:

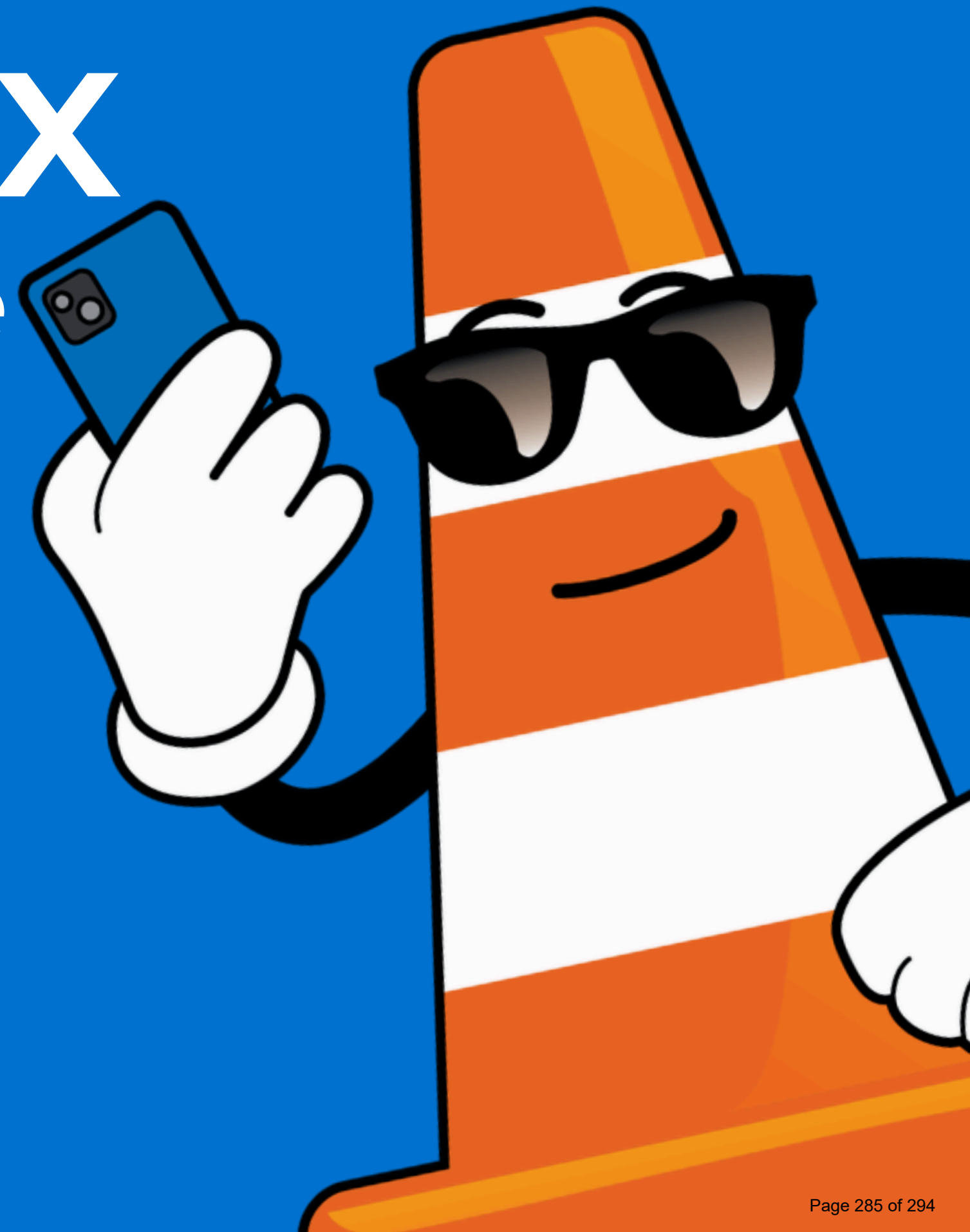
1. SCF City of Abilene App Presentation

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON:

See Click Fix

Now in the City of Abilene
Mobile App



SeeClickFix now in the City of Abilene Mobile App

October 2018: Contract signed,
\$16,997.40 implementation cost

December 2018: Cartegraph added,
\$4,000 implementation cost

Annual Renewal Rate: \$6,300

Oct. 2026: Marketplace App,
\$5,958.33 implementation cost

MyABI App Discontinuation:
\$4,256.74 cost elimination

Current Annual Renewal Rate:
\$6,500



Scan now to
download!

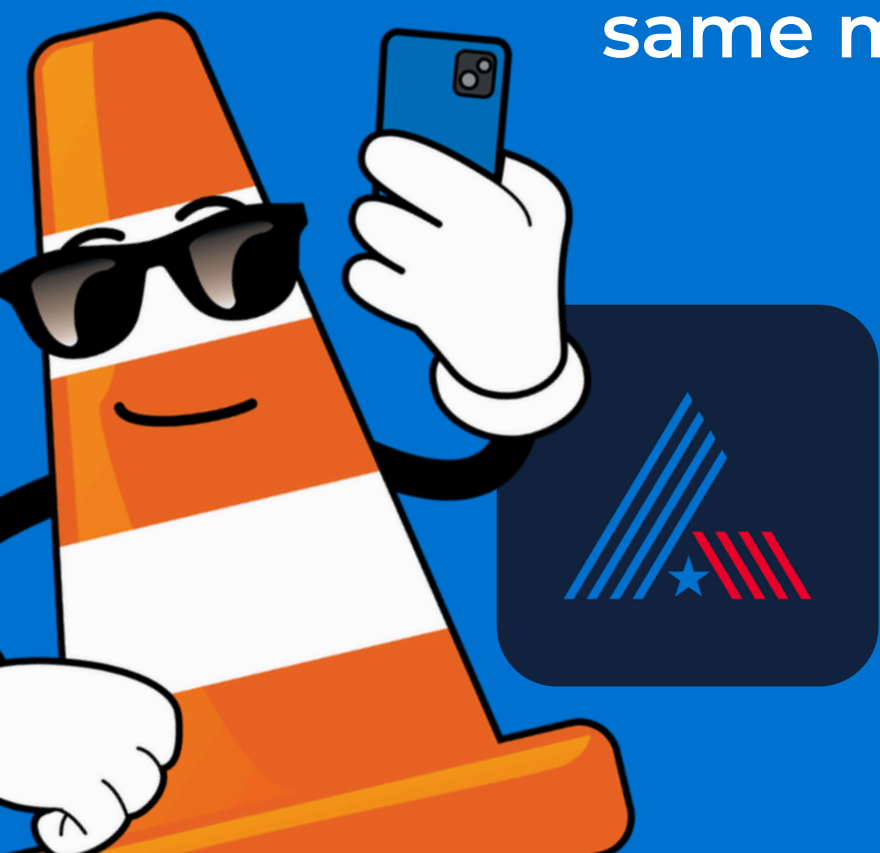


SeeClickFix now in the City of Abilene Mobile App

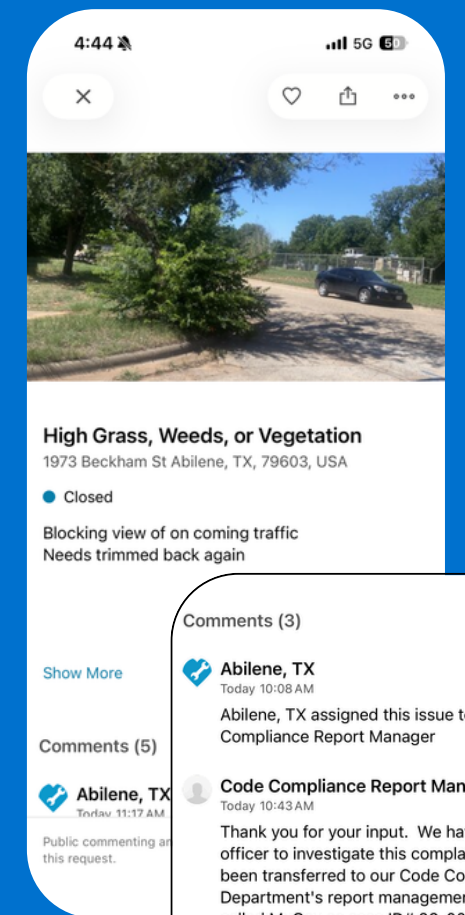
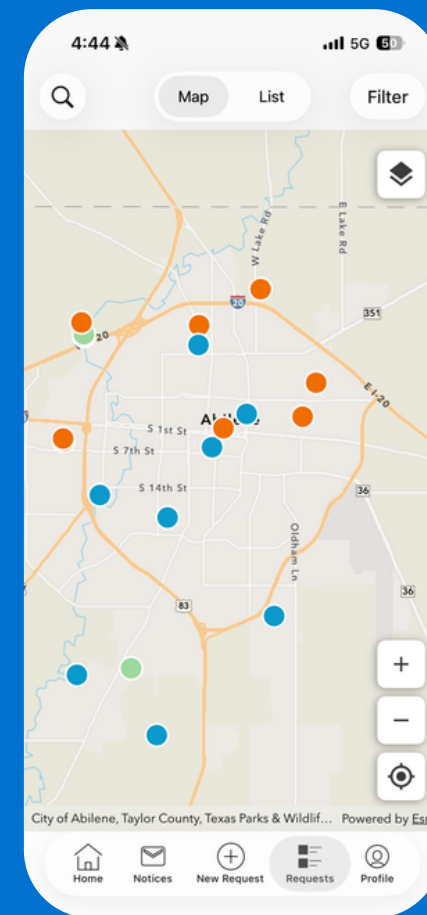
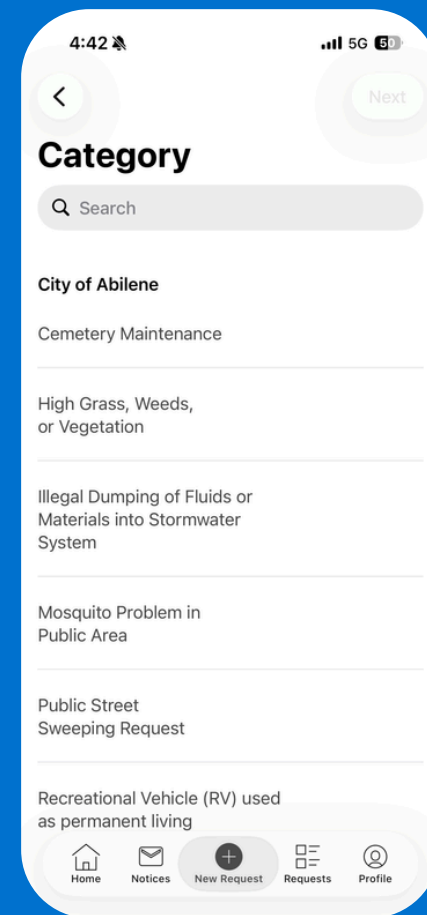
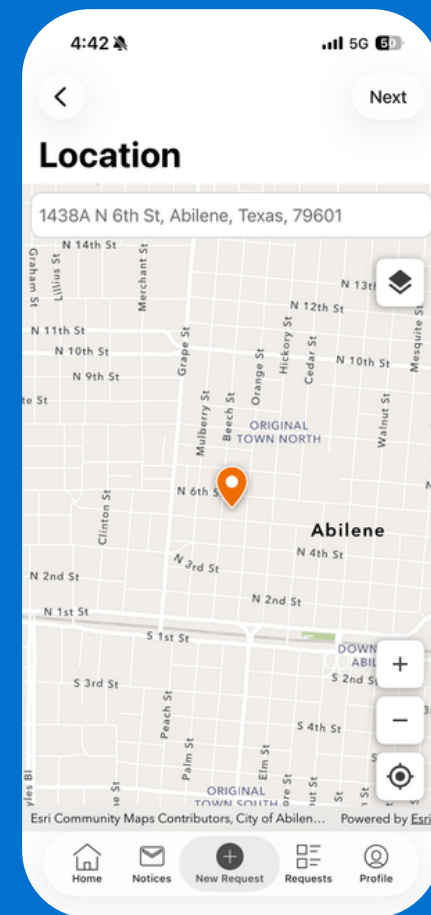
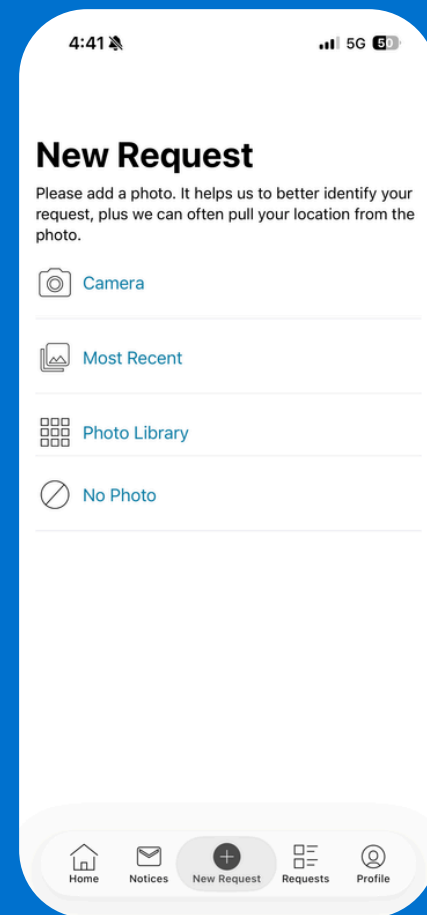
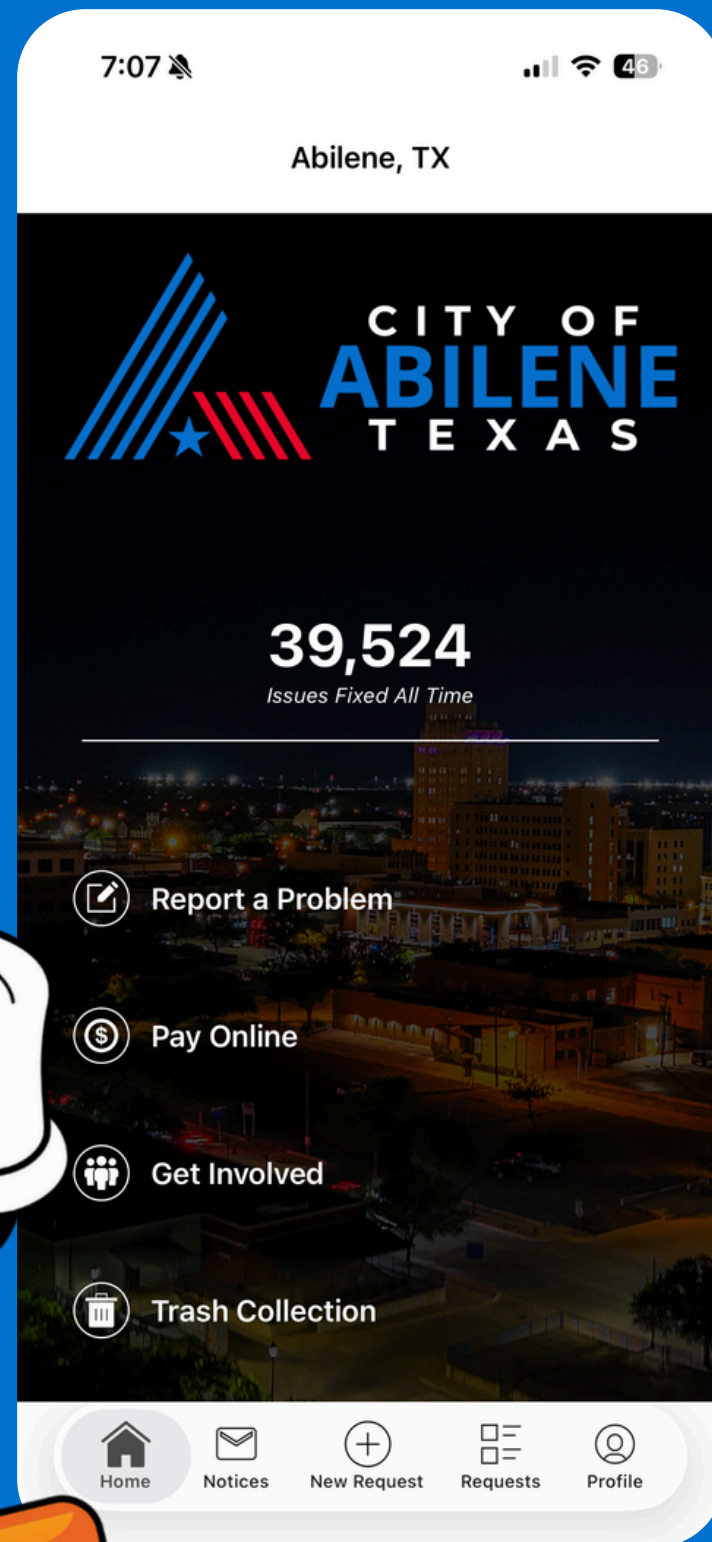
Benefits of new marketplace app:

- Ability to track downloads, Abilene-specific data
- Clearer connection point to residents and brand reinforcement
- Users only see Abilene area reports

While a new download is required, residents can still use the SeeClickFix container app, and reports reach City staff in the same manner and speed as the marketplace app.



SeeClickFix now in the City of Abilene Mobile App



Comments (3)

Abilene, TX
Today 10:08 AM
Abilene, TX assigned this issue to Code Compliance Report Manager

Code Compliance Report Manager
Today 10:43 AM
Thank you for your input. We have assigned an officer to investigate this complaint and it has been transferred to our Code Compliance Department's report management system called MyGov as case ID# 26-003141.

To follow up on the status of this violation, go to public.mygov.us/tx_abilene/lookup, click on

Public commenting and status changes are not available for this request.



SeeClickFix now in the City of Abilene Mobile App

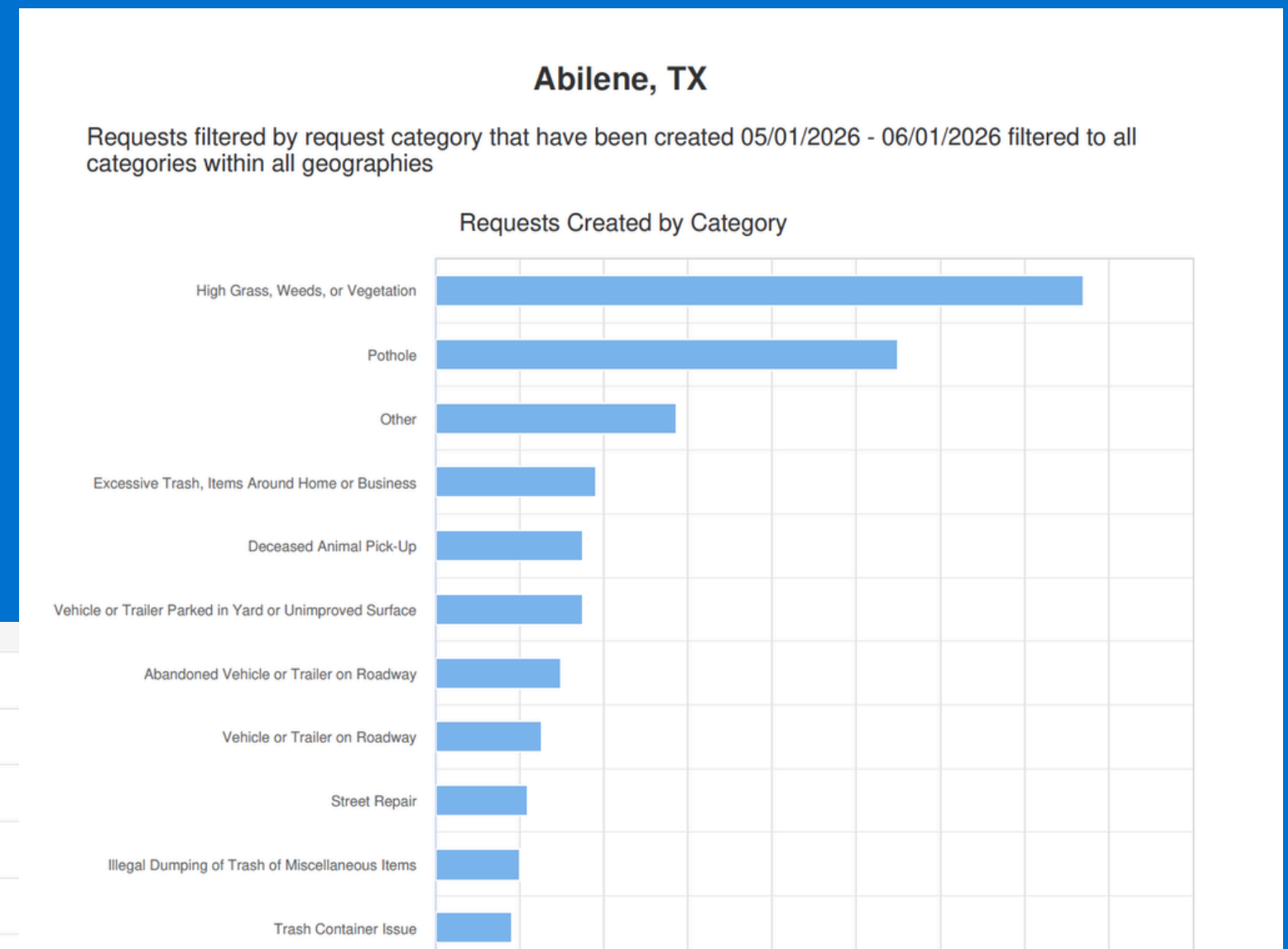
Average Number of Days Until a Report is Closed: .9

Percent of Reports Closed within Service Level Agreement: 93%

Potholes:
365 reports in 2026
with average of 19.2
hours to close!



A screenshot of a SeeClickFix report page. At the top, there are status tabs: Open, Acknowledged, In Progress, Needs Review, and Closed. Below is a map showing the location of the report at 1302 Clinton St, Abilene, TX. The report title is "Excessive Trash, Items Around Home or Business" with a description: "Clutter around trashcan and trash that is in not bags causing trash to go into alley". The report was created on 06/17/2026 at 5:01 PM. The assigned person is "Code Compliance Report Manager". The due date and SLA expiration date are both 06/25/2026. The priority is "Normal". There are no subscribers for this report. The status log shows it was opened on 06/17/2026 at 5:01 PM. The reporter is Alexandria gutierrez, a registered user with the email a71837259@gmail.com. The report method was "iPhone". A comment from the reporter says "Clutter around trashcan and trash that is in not bags causing trash to go into alley".



SeeClickFix now in the City of Abilene Mobile App

A billboard advertisement for the SeeClickFix mobile app. The billboard features the text "SEE, CLICK, FIXED!" in large white letters, followed by "Now in the City of Abilene Mobile App". Below this is an orange button that says "DOWNLOAD NOW!". To the right are logos for Google Play and the App Store. A cartoon traffic cone character wearing sunglasses and holding a smartphone is on the right side of the billboard. The billboard is mounted on a white pole.

SEE, CLICK, FIXED!
Now in the **City of Abilene Mobile App**

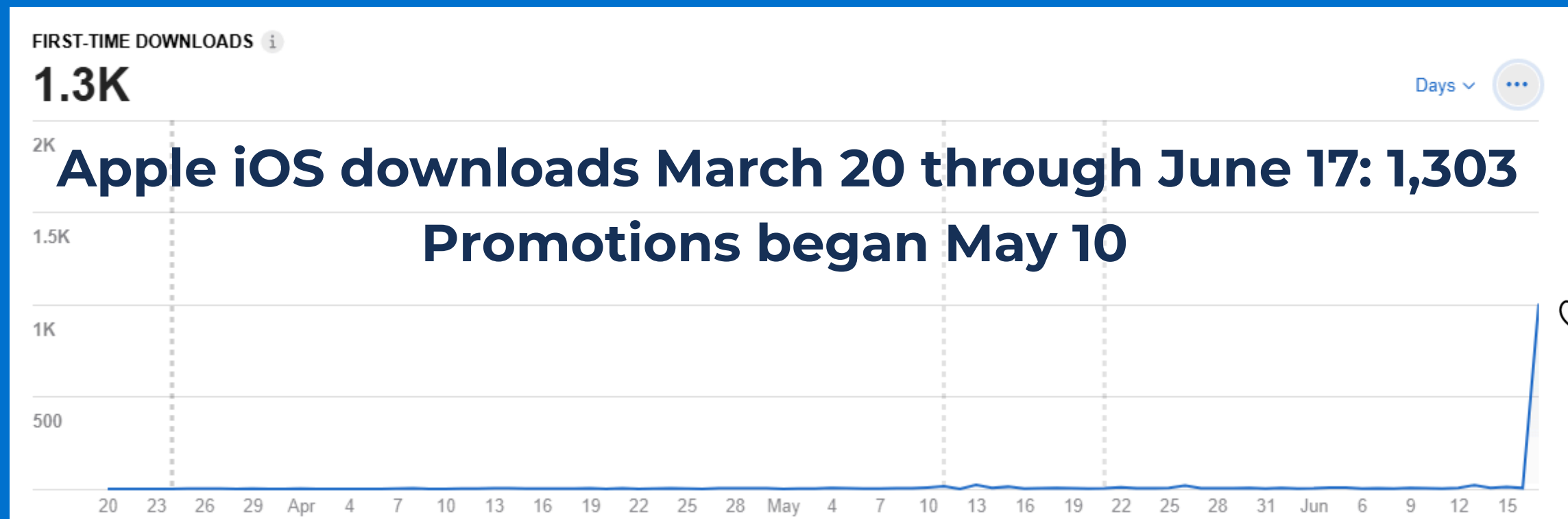
DOWNLOAD NOW!

GET IT ON
Google Play

Download on the
App Store



SeeClickFix now in the City of Abilene Mobile App



Next-day spike in downloads attributed to promotional publication



GOAL CRUSHED.
MISSION ACCOMPLISHED.
Traffic Cone Terry Style.

**LET'S REACH
FOR THE
STARS!**

**MAJOR GOAL
✓ CRUSHED!**

THESE STEPS
HAVE WITNESSED
DREAMS.
DISCIPLINE.
DETERMINATION.
AND VICTORY.
★
ABILENE, TEXAS





**CITY COUNCIL
MEMORANDUM
6/25/2026**

TO: Honorable Mayor & Members of City Council
FROM: Stanley Smith, City Attorney

ITEM: 17. 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: 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. 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
5. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
6. PFAS Litigation
7. 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
8. 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
9. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District Court, Taylor County, Texas; filed March 1, 2024
10. 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
11. 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
12. 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
13. 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
14. 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
15. Ishmael Jaimes v. City of Abilene; Civil Action No. 1:25-cv-00249-H; In the United States District Court, Northern District of Texas, Abilene Division; filed November 13, 2025
16. Joseph Jarrell Turner v. H Haught, Case No. 1:25-CV-00201-BU; In the United States District Court, Northern District of

Texas, Abilene Division; filed October 16, 2025

17. Foco Capital LLC v. City of Abilene, Texas; Cause No. 29,758-B, In the 104th Judicial District Court, Taylor County, Texas; filed on April 21, 2026

18. Samantha Henry a/k/a Samantha Kae Henry-Davis v. Chris Milliorn, et al.; Civil Action No. 1:25-cv-00003, In the United States District Court, Northern District of Texas, Abilene Division, filed January 6, 2025

19. Legal Update Regarding Cedar Ridge Reservoir and Ft Stockton Groundwater Projects

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members

2. City of Abilene Boards and Commissions may be discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F.551.087 (Business Prospect/Economic Development)

FUNDING/FISCAL IMPACT

STAFF AND/OR BOARD RECOMMENDATION

ATTACHMENTS:

None

BACKUP DOCUMENTATION UPDATED? No

UPDATED ON: