



## City of Abilene City Council Agenda

Shane Price, Council Member  
Bruce Kreidler, Council Member  
Kyle McAlister, Council  
Member  
Robert Hanna, City Manager

Norm Archibald,  
Mayor

Anthony Williams, Mayor Pro-tem  
Jay Hardaway, Council Member  
Steve Savage, Council Member  
Stanley Smith, City Attorney  
Danette Dunlap, City Secretary

**Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Thursday, December 15, 2016 at 8:30 AM at 555 Walnut Street, 2nd Floor Council Chambers, 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.**

**1. CALL TO ORDER**

**2. INVOCATION**

1. Mayor Archibald

**3. PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG**

**4. PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

**5. MINUTES**

1. Approval of the Minutes from the December 1st 2016 Regular Council Meeting and the Special Called Meeting on December 5th 2016.

**6. CONSENT AGENDA**

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

1. **Ordinance:** *(First Reading)* **Z-2016-42** A request from International Medical Christian Ministries Inc., agent Richard Humphries, to rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail), located in the 7300-7400 Blocks (east side) of Buffalo Gap Rd; and setting a public hearing January 12, 2017. ***(Dana Schoening)***
2. **Ordinance:** *(First Reading)* **Z-2016-46** A request from Griffith Lake Estates, LLC, agent Tal Fillingim to rezone property from AO (Agricultural Open Space)

to PH (Patio Home) zoning, located 1701 Griffith Road; and setting a public hearing for January 12, 2017. (**Dana Schoening**)

3. **Ordinance: (First Reading) Z-2016-47** A request from Matthew W. Meador, to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning, located at 1941 N. 3rd Street; and setting a public hearing for January 12, 2017. (**Dana Schoening**)
4. **Resolution: CB #1700** - Award of Bid for the Purchase of Half Ton Trucks (**Chris Taylor**)
5. **Resolution: CB #1701** - Award of Bid to Lawrence Hall Chevrolet to Purchase Full-Size Sedans. (**Chris Taylor**)
6. **Resolution: CB #1703** - Award of Bid to Purchase Fire and Police Patrol SUVs (**Chris Taylor**)
7. **Resolution: CB #1707** - Award of Bid for the Annual purchase of 95 Gallon Containers for Solid Waste Department. (**Michael Rice**)
8. **Resolution: CB #1708** - Award of Bid for the purchase of 300 Gallon containers for the Solid Waste Department. (**Michael Rice**)
9. **Resolution:** Approving Financing by One or More Education Facilities Corporation for the Benefit of Hardin-Simmons University. (**Mike Rains**)
10. **Resolution:** Authorizing The Official Name Change of the Civic Center of Abilene, Texas to Abilene Convention Center. (**Mindy Patterson**)
11. **Resolution:** Authorizing the City Manager to hire a Zoo Development Coordinator and Health Administrative Coordinator (**Lesli Andrews**)
12. **Resolution:** Authorize the use of Criminal Investigations Division (CID) seized funds. (**Stan Standridge**)
13. **Resolution:** Authorizing the the City Manager to enter into a Professional Services Agreement with Richard J. Leidl, P.C. (**Robert Hanna**)

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

1. **Presentation and Oral Resolution:** FY16 Annual Report of Activities for the Development Corporation of Abilene (**Kent Sharp**)
2. **Resolution:** Approving Stop Loss Insurance Coverage for Health Plan Year 2017. (**Mindy Patterson**)
3. **Ordinance & Public Hearing:** (*Final Reading*) Approving the Standards of Care for 2017. (**Lesli Andrews**)
4. **Ordinance & Public Hearing:** (*Final Reading*) Amending Chapter 20, Offenses, Article I, In General, Section 20-3, "Amplifiers, etc. Use on Premises" of the Abilene Code of Ordinances; providing a severability clause; declaring a penalty. (**Stanley Smith**)
5. **Ordinance & Public Hearing:** (*Final Reading*) To amend Chapter 18-289 designating one-way streets. (**Michael Rice**)

## **8. EXECUTIVE SESSION**

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, as authorized by Texas Government Code Sections**

**1. 551.071 (Consultation with Attorney)**

- A) TML-IRP Roofs
- B) Zoning and Notice Issues - City of Dallas lawsuit - City of Dallas v. East Village Ass'n, 480 S.W.3d 37 (Tex.App.—Dallas, 2015).
- C) Transfer of Public Property to Taylor County

The following pending litigation subjects which may be discussed are:

1. City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
2. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
3. Gary Lee and Marilu Lee Corpian v. City of Abilene, Cause No. 48,766-A in the 42<sup>nd</sup> District Court, filed August 7, 2014
4. Margarita Mitchell, et al. v. The City of Abilene, et al., filed in the 350th Judicial District Court, Taylor County, Texas, on October 21, 2015
5. Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene. Cause No. D-1-GN-16-001160, filed March 16, 2106.
6. Abilene Matera LLC v. Board of Building Standards for the City of Abilene and City of Abilene, Cause No. 10696-D. March 17, 2016.
7. Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
8. E.G., et al. v. Barry Bond, City of Abilene, and Abilene Independent School District, Case 1:16-cv-00068-BL, U.S. District Court, Northern District, Abilene Division, filed April 28, 2016
9. Gary Corpian and Marilu Lee Corpian v. City of Abilene, Texas, Cause No. 49451-A, In the 42nd Judicial District Court, Taylor County, Texas, filed June 24, 2016
10. Mike Rodriguez, Lauren Rodriguez, Laura Gentry Edwards, Mike Gentry, and Lucy Gentry v. City of Abilene, Case No. 1-16CV-080-BL; In the United States District Court, Northern District of Texas, Abilene Division, filed May 17, 2016, served September 2, 2016
11. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016

**2. 551.072 (Deliberations about Real Property)**

- A) Transfer of Public Property to Taylor County
- B) Regional Water Supply

**3. 551.073 (Deliberations about Gifts and Donations)**

**4. 551.074 (Personnel Matters)**

City Council may consider appointment, employment, 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.

**The following Boards and Commissions may be discussed:**

Abilene Economic Development Company, Inc.  
Abilene Health Facilities Development Corp.  
Abilene Higher Education Facilities Corporation  
Abilene-Taylor County Events Venue District  
Board of Adjustments  
Board of Building Standards  
Civic Abilene, Inc.  
Civil Service Commission  
Development Corporation of Abilene, Inc.  
Firemen's Pension Fund Board  
Friends of Safety City Board  
Frontier Texas! Board of Directors  
Abilene Housing Authority  
Landmarks Commission  
Library Board  
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals  
Mental Health-Mental Retardation Board of Trustees  
9-1-1 Emergency Communications District Board of Managers  
Parks & Recreation Board  
Planning and Zoning Commission  
Taylor County Appraisal District  
West Central Texas Municipal Water District  
Tax Increment Reinvestment Zone Board

**5. 551.087 (Business Prospect/Economic Development)**

A) Hotel Proposals

**6. 551.076 (Deliberations about Security Devices)**

**9. RECONVENE**

**10. REGULAR AGENDA**

1. **Resolution:** Authorizing City Manager to transfer land to Taylor County, Texas for a Public Purpose.

**11. 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 contact Danette Dunlap, City Secretary, at 325-676-6202.*

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the \_\_\_\_\_ day of December, 2016, at \_\_\_\_\_.

\_\_\_\_\_  
*Danette Dunlap, City Secretary*





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Mr. Robert Hanna, City Manager**

**FROM: Mr. Dana L. Schoening, Director of Planning and Development Services**

**SUBJECT: Ordinance: (First Reading) Z-2016-42 A request from International Medical Christian Ministries Inc., agent Richard Humphries, to rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail), located in the 7300-7400 Blocks (east side) of Buffalo Gap Rd; and setting a public hearing January 12, 2017. (*Dana Schoening*)**

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**GENERAL INFORMATION**

The subject property now totals approximately 12 acres, all of which is vacant. Single- and Multi-Family (MF) Residential Districts lie directly to the south and east of the subject 12 acres. These zoning districts are occupied by a combination of single-family, townhouse and duplex residences. The same Planned Development District which encompasses the greater part of the subject 12 acres (i.e., PD 37) also extends further north and east. PD 37 reserves this adjacent and still-vacant acreage for uses allowed in Medium-Density Residential zoning districts. An Agricultural Open Space (AO) District is located to the west, across the 120-foot width of right-of-way for Buffalo Gap Road.

That portion of these subject properties zoned AO has had such zoning since this vicinity was annexed during 1980. The remaining portions were included within PD 37 in 1986, along with the Mesa Springs properties to the north. The Mesa Springs development is a retirement and nursing care community with facilities located approximately 630 feet north from the subject 7.02 acres.

Currently, the subject properties total approximately 12 acres and are zoned AO and PD 37. All are currently vacant. The AO-zoned property is 2.36 acres. The remaining properties totaling 9.44 acres are included within Planned Development District Number 37. The approved Preliminary Plat (of this acreage) and Abilene's Master Thoroughfare Plan show Wagon Wheel Avenue extended across Buffalo Gap Road and through these properties. The applicant is requesting to rezone 7.02 acres to GR. The PD currently allows for NR (Neighborhood Retail) uses on a small portion of the southwestern corner of PD 37 and MD (Medium-Density) Residential for the remaining acreage. The applicant is wanting to rezone these in order to make this property more marketable to potential buyers.

The Future Land Use section of the Comprehensive Plan designates this property as 'low density residential'. AO zoning typically functions as a "holding zone" until an applicant desires to rezone to a zoning classification compatible with planned use of nearby property. However, at the time when Wagon Wheel (designated "collector" street) is extended, the properties adjacent to its future intersection with Buffalo Gap Road (designated an "arterial" street) will be located at a node well-suited for some degree of commercial development.

## **SPECIAL CONSIDERATIONS**

## **FUNDING/FISCAL IMPACT**

## **STAFF RECOMMENDATION**

City staff recommends rezoning only the southernmost approximately 2.36 acres (all in M. Talbot Survey No. 103) to a General Retail (GR) classification. These southernmost 2.36 acres may be viewed as the extreme northern limit to a significant “node” of intensive commercial activity clustered around the intersection of Buffalo Gap Road and Beltway South. Both these streets are considered major arterials in Abilene’s network of thoroughfares, around which intensive commercial zoning is appropriate, allowing both the exposure and multidirectional street capacity necessary for intensive commercial use.

City staff also recommends rezoning the remaining approximately 4.66 acres (all in M. Talbot Survey No. 102) to a Neighborhood Retail (NR) classification. These 4.66 acres are almost ½ mile north from Buffalo Gap Road’s intersection with Beltway South and can hardly be considered part of the same commercial “node” anticipated there. These 4.66 acres are nonetheless at the intersection of a planned collector street (Wagon Wheel Avenue) with Buffalo Gap Road. Neighborhood Retail zoning is generally appropriate at such intersections, with retail trade and services directed toward residential neighborhoods organized around those collector streets. Neighborhood Retail zoning at this particular location may also have the effect of “signaling” the northern limit of land considered suitable for commercial zoning along this segment of Buffalo Gap Road. Neighborhood Retail (NR) zoning here may thus help prevent unsightly and inefficient “strip” commercial zoning along the entire length of Buffalo Gap Road in Abilene.

The portion of property currently zoned as Medium Density MD residential, approximately 4.98 acres, would remain Medium Density MD residential zoning.

## **BOARD OR COMMISSION RECOMMENDATION**

The Planning & Zoning Commission considered and recommended approval of rezoning from AO and PD37 to GR and NR zoning districts by a vote of five (Smith, Bixby, Famble, Calk, and McClarty) in favor with none in opposition.

## **ATTACHMENTS:**

| Description                                | Type            |
|--|-----------------|
| <input type="checkbox"/> Ordinance Cover   | Ordinance       |
| <input type="checkbox"/> Ordinance Exhibit | Ordinance       |
| <input type="checkbox"/> Staff Report      | Backup Material |
| <input type="checkbox"/> Responses         | Backup Material |
| <input type="checkbox"/> Presentation      | Presentation    |

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, 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.

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 this 15<sup>th</sup> day of December, A.D. 2016.

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 28<sup>th</sup> day of December, 2016, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12<sup>th</sup> day of January, 2017 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 12<sup>th</sup> day of January, A.D. 2017.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail).

Legal Description:

The legal description for the property rezone to GR (General Retail) is set out in Exhibit "B", attached hereto.

The legal description for the property rezone to NR (Neighborhood Retail) is set out in Exhibit "C", attached hereto.



Location:

The 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision

-END-

EXHIBIT "B"

**Z-2016-42: GR**

**FIELD NOTES  
FOR  
A 2.520-ACRE TRACT  
OUT OF  
M. TALBOT SURVEY NO. 103  
TAYLOR COUNTY, TEXAS**

**BEING** a 2.520-acre tract out of the M. Talbot Survey No. 103, Taylor County, Texas. The said 2.520-acre tract being more particularly described as follows:

**BEGINNING** at a point of intersection of the east right of way of Buffalo Gap Road and the north line of the said M. Talbot Survey No. 103 for the northwest corner of this tract;

**THENCE** South 89 degrees 03 minutes 25 seconds East, along the north line of the said M. Talbot Survey No. 103, for a distance of 337.61 feet to a point for the northwest corner of Lot 6, Block "A", Continuation No. 2, Mesquite Forest Estate, Abilene, Taylor County, Texas, recorded in Cabinet 1, Slide 327, Plat Records, Taylor County, Texas;

**THENCE** South 00 degrees 57 minutes 00 seconds West for a distance of 275.79 feet to a point for the southwest corner of Lot 9, said Block "A", Continuation No. 2, Mesquite Forest Estate;

**THENCE** North 89 degrees 01 minutes 46 seconds West for a distance of 457.38 feet to a point on the east right of way of Buffalo Gap Road for the southwest corner of this tract, same being the northwest corner of Lot 18, said Block "A", Continuation No. 2, Mesquite Forest Estate;

**THENCE** along the east right of way of Buffalo Gap Road, being along a curve to the right having a radius of 11399.16 feet, and an arc length of 277.10 feet, being subtended by a chord of North 24 degrees 23 minutes 13 seconds East for a distance of 277.10 feet to a point of tangency;

**THENCE** North 25 degrees 05 minutes 00 seconds East, along the east right of way of Buffalo Gap Road, for a distance of 23.40 feet to the Point of Beginning, containing 2.520 acres or 109785 square feet.

*The above legal description is for zoning purposes only and does not represent a survey on the ground.*

EXHIBIT "C"

**Z-2016-42: NR**

**FIELD NOTES  
FOR  
A 4.718-ACRE TRACT  
OUT OF  
M. TALBOT SURVEY NO. 102  
TAYLOR COUNTY, TEXAS**

**BEING** a 4.718-acre tract out of the M. Talbot Survey No. 102, Taylor County, Texas. The said 4.718-acre tract being more particularly described as follows:

**BEGINNING** at a point of intersection of the east right of way of Buffalo Gap Road and the south line of the said M. Talbot Survey No. 102 for the southwest corner of this tract;

**THENCE** North 25 degrees 05 minutes 00 seconds East, along the east right of way of Buffalo Gap Road, for a distance of 518.62 feet to a point for the westernmost southwest corner of Lot 1, Block "A", Kingdom Park Subdivision, Abilene, Taylor County, Texas, recorded in Cabinet 4, Slide 79, Plat Records, Taylor County, Texas;

**THENCE** South 64 degrees 55 minutes 00 seconds East for a distance of 403.87 feet to an angle point in the south line of the said Lot 1, Block "A", Kingdom Park Subdivision;

**THENCE** South 00 degrees 56 minutes 35 seconds West for a distance of 119.09 feet to an angle point in the south line of the said Lot 1, Block "A", Kingdom Park Subdivision;

**THENCE** South 89 degrees 03 minutes 25 seconds East for a distance of 60.00 feet to an angle point in the south line of the said Lot 1, Block "A", Kingdom Park Subdivision;

**THENCE** South 00 degrees 56 minutes 35 seconds West for a distance of 189.00 feet to a point on the south line of the said M. Talbot Survey No. 102, same being the north line of Block "A", Continuation No. 2, Mesquite Forest Estate, Abilene, Taylor County, Texas, recorded in Cabinet 1, Slide 327, Plat Records, Taylor County, Texas;

**THENCE** North 89 degrees 03 minutes 25 seconds West for a distance of 640.65 feet to the Point of Beginning, containing 4.718 acres or 205516 square feet.

*The above legal description is for zoning purposes only and does not represent a survey on the ground.*

# ZONING CASE Z-2016-42

## STAFF REPORT



### APPLICANT INFORMATION:

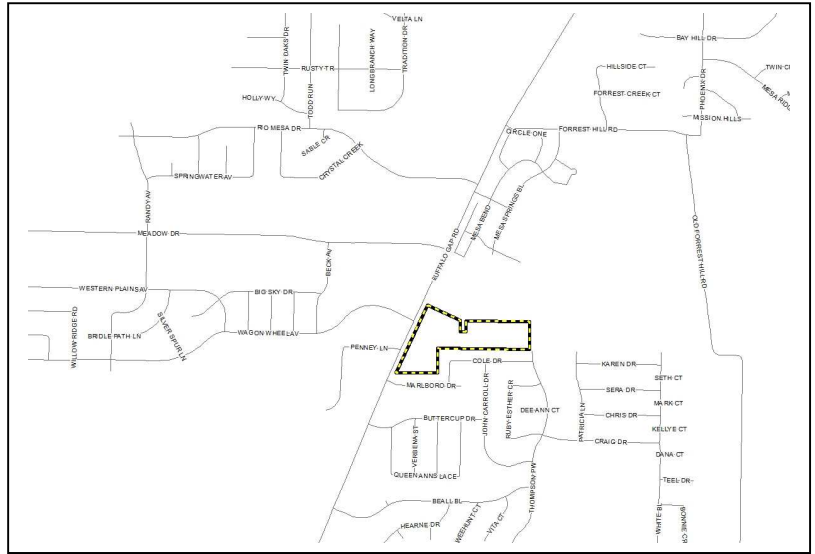
International Medical Christian Ministries INC.  
Agent: Richard Humphries, IMCM Board Member

### HEARING DATES:

P & Z Commission: October 3, 2016 (**Tabled**)  
P & Z Commission: December 5, 2016  
City Council 1<sup>st</sup> Reading: December 15, 2016  
City Council 2<sup>nd</sup> Reading: January 12, 2017

### LOCATION:

the 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision.



### REQUESTED ACTION:

Rezone property from a combination of AO (Agricultural Open Space) and PD (Planned Development) Districts, to General Retail (GR) District and Neighborhood Retail (NR) Districts.

### SITE CHARACTERISTICS:

The subject property now totals approximately 12 acres, all of which is vacant. Single- and Multi-Family (MF) Residential Districts lie directly to the south and east of the subject 12 acres. These zoning districts are occupied by a combination of single-family, townhouse and duplex residences. The same Planned Development District which encompasses the greater part of the subject 12 acres (i.e., PD 37) also extends further north and east. PD 37 reserves this adjacent and still-vacant acreage for uses allowed in Medium-Density Residential zoning districts. An Agricultural Open Space (AO) District is located to the west, across the 120-foot width of right-of-way for Buffalo Gap Road.

### ZONING HISTORY:

That portion of these subject properties zoned AO has had such zoning since this vicinity was annexed during 1980. The remaining portions were included within PD 37 in 1986, along with the Mesa Springs properties to the north. The Mesa Springs development is a retirement and nursing care community with facilities located approximately 630 feet north from the subject 7.02 acres.

### ANALYSIS:

#### • Current Planning Analysis

Currently, the subject properties total approximately 12 acres and are zoned AO and PD 37. All are currently vacant. The AO-zoned property is 2.36 acres. The remaining properties totaling 9.44 acres are included within Planned Development District Number 37. The approved Preliminary Plat (of this acreage) and Abilene's Master Thoroughfare Plan show Wagon Wheel Avenue extended across Buffalo Gap Road and through these properties. The applicant is requesting to rezone 7.02 acres to GR. The PD currently allows for NR (Neighborhood Retail) uses on a small portion of the southwestern corner of PD 37 and MD



(Medium-Density) Residential for the remaining acreage. The applicant is wanting to rezone these in order to make this property more marketable to potential buyers.

- **Comprehensive Planning Analysis**

The Future Land Use section of the Comprehensive Plan designates this property as ‘low density residential’. AO zoning typically functions as a “holding zone” until an applicant desires to rezone to a zoning classification compatible with planned use of nearby property. However, at the time when Wagon Wheel (designated “collector” street) is extended, the properties adjacent to its future intersection with Buffalo Gap Road (designated an “arterial” street) will be located at a node well-suited for some degree of commercial development.

## **PLANNING STAFF RECOMMENDATION:**

City staff recommends rezoning only the southernmost approximately 2.36 acres (all in M. Talbot Survey No. 103) to a General Retail (GR) classification. These southernmost 2.36 acres may be viewed as the extreme northern limit to a significant “node” of intensive commercial activity clustered around the intersection of Buffalo Gap Road and Beltway South. Both these streets are considered major arterials in Abilene’s network of thoroughfares, around which intensive commercial zoning is appropriate, allowing both the exposure and multidirectional street capacity necessary for intensive commercial use.

City staff also recommends rezoning the remaining approximately 4.66 acres (all in M. Talbot Survey No. 102) to a Neighborhood Retail (NR) classification. These 4.66 acres are almost ½ mile north from Buffalo Gap Road’s intersection with Beltway South and can hardly be considered part of the same commercial “node” anticipated there. These 4.66 acres are nonetheless at the intersection of a planned collector street (Wagon Wheel Avenue) with Buffalo Gap Road. Neighborhood Retail zoning is generally appropriate at such intersections, with retail trade and services directed toward residential neighborhoods organized around those collector streets. Neighborhood Retail zoning at this particular location may also have the effect of “signaling” the northern limit of land considered suitable for commercial zoning along this segment of Buffalo Gap Road. Neighborhood Retail (NR) zoning here may thus help prevent unsightly and inefficient “strip” commercial zoning along the entire length of Buffalo Gap Road in Abilene.

The portion of property currently zoned as Medium Density MD residential, approximately 4.98 acres, would remain Medium Density MD residential zoning.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning & Zoning Commission considered and recommended approval of rezoning from AO and PD37 to GR and NR zoning districts by a vote of five (Smith, Bixby, Famble, Calk, and McClarty) in favor with none in opposition.

## **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

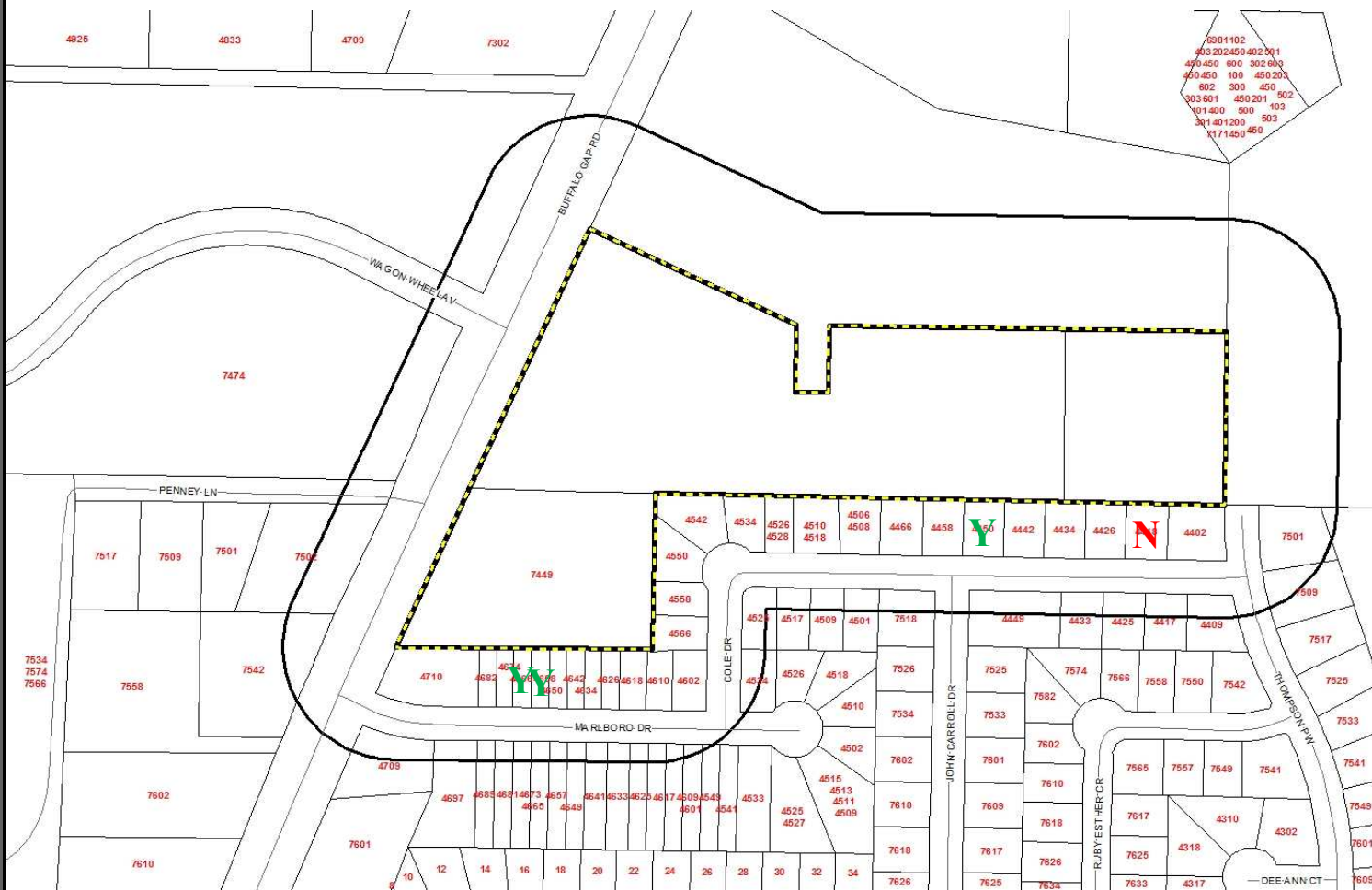
| OWNER                   | ADDRESS          | RESPONSE |
|-------------------------|------------------|----------|
| BERRY KENNY RAY &       | 7501 THOMPSON PW |          |
| BOWERS JOSHUA M         | 4542 COLE DR     |          |
| BROWN KARLA             | 4434 COLE DR     |          |
| CALDWELL CHARLES & MARY | 4418 COLE DR     | Opposed  |
| CANADY JAMES E & ROSE A | 4450 COLE DR     | In Favor |



|                                   |                      |          |
|-----------------------------------|----------------------|----------|
| CAPGROW HOLDINGS JV SUB I LLC     | 4458 COLE DR         |          |
| CHOLEWINSKI KRISTIE               | 4534 COLE DR         |          |
| CLAUDE PARKER LLC                 | 4710 MARLBORO DR     |          |
| CLEARVIEW FAMILY LIMITED PART     | 4525 COLE DR         |          |
| GALLAGHER ANNA                    | 4425 COLE DR         |          |
| GIANNOPOULOS NICKOLAOS & ERZSEBET | 4409 COLE DR         |          |
| GRIFFIN JAMES B &                 | 4402 COLE DR         |          |
| HARRIS JUDY                       | 4626 MARLBORO DR     |          |
| HARRIS JUDY                       | 4634 MARLBORO DR     |          |
| HARRIS JUDY L                     | 4682 MARLBORO DR     |          |
| HARRIS JUDY L                     | 4674 MARLBORO DR     |          |
| HARRIS JUDY L                     | 4506 COLE DR         |          |
| HARRIS JUDY L                     | 4508 COLE DR         |          |
| HARRIS JUDY L                     | 4510 COLE DR         |          |
| HARRIS JUDY L                     | 4518 COLE DR         |          |
| INTERNATIONAL MEDICAL             |                      |          |
| INTERNATIONAL MEDICAL             | 7449 BUFFALO GAP RD  |          |
| INTERNATIONAL MEDICAL             |                      |          |
| JOHNSON JUSTIN                    | 7509 THOMPSON PW     |          |
| LAMB STEVEN H & HAZEL D           | 7518 JOHN CARROLL DR |          |
| LONESTAR ACRES LLC                | 4433 COLE DR         |          |
| MARTIN CARL RICHARD               | 4449 COLE DR         |          |
| MARTINEZ ROBERT & REBECCA         |                      |          |
| MATHIS TAMMIE MACHELLE            | 4517 COLE DR         |          |
| MC BRIDE CAROL LOUISE KECK        | 7502 BUFFALO GAP RD  |          |
| MK POWELL PROPERTIES LLC          | 4550 COLE DR         |          |
| MK PRICE HOLDINGS LLC             | 7542 BUFFALO GAP RD  |          |
| MORRIS & MORRIS LLC               | 4709 MARLBORO DR     |          |
| NIBLETT JOHN ROBERT               | 4426 COLE DR         |          |
| OSBORNE MARJORIE                  | 4534 MARLBORO DR     |          |
| PINEDA REO LLC                    | 7474 BUFFALO GAP RD  |          |
| PINEDA REO LLC                    |                      |          |
| RAY JOSHUA DAVID & RAFAELA        | 4666 MARLBORO DR     | In Favor |
| RAY JOSHUA DAVID & RAFAELA        | 4658 MARLBORO DR     | In Favor |
| RICHARDSON SHANNON ROAD           | 4501 COLE DR         |          |
| ROTH STEVEN M                     | 4642 MARLBORO DR     |          |
| ROTH STEVEN M                     | 4650 MARLBORO DR     |          |
| SCIOTO PROPERTIES SP 16 LLC       | 4417 COLE DR         |          |
| SCIOTO PROPERTY SP 16 LLC         | 4466 COLE DR         |          |
| SIITERI JORDAN                    | 4526 COLE DR         |          |
| SIITERI JORDAN                    | 4528 COLE DR         |          |
| SMITH CAROLYN RENIA               | 4509 COLE DR         |          |
| SMITH ROBERT                      | 4641 MARLBORO DR     |          |

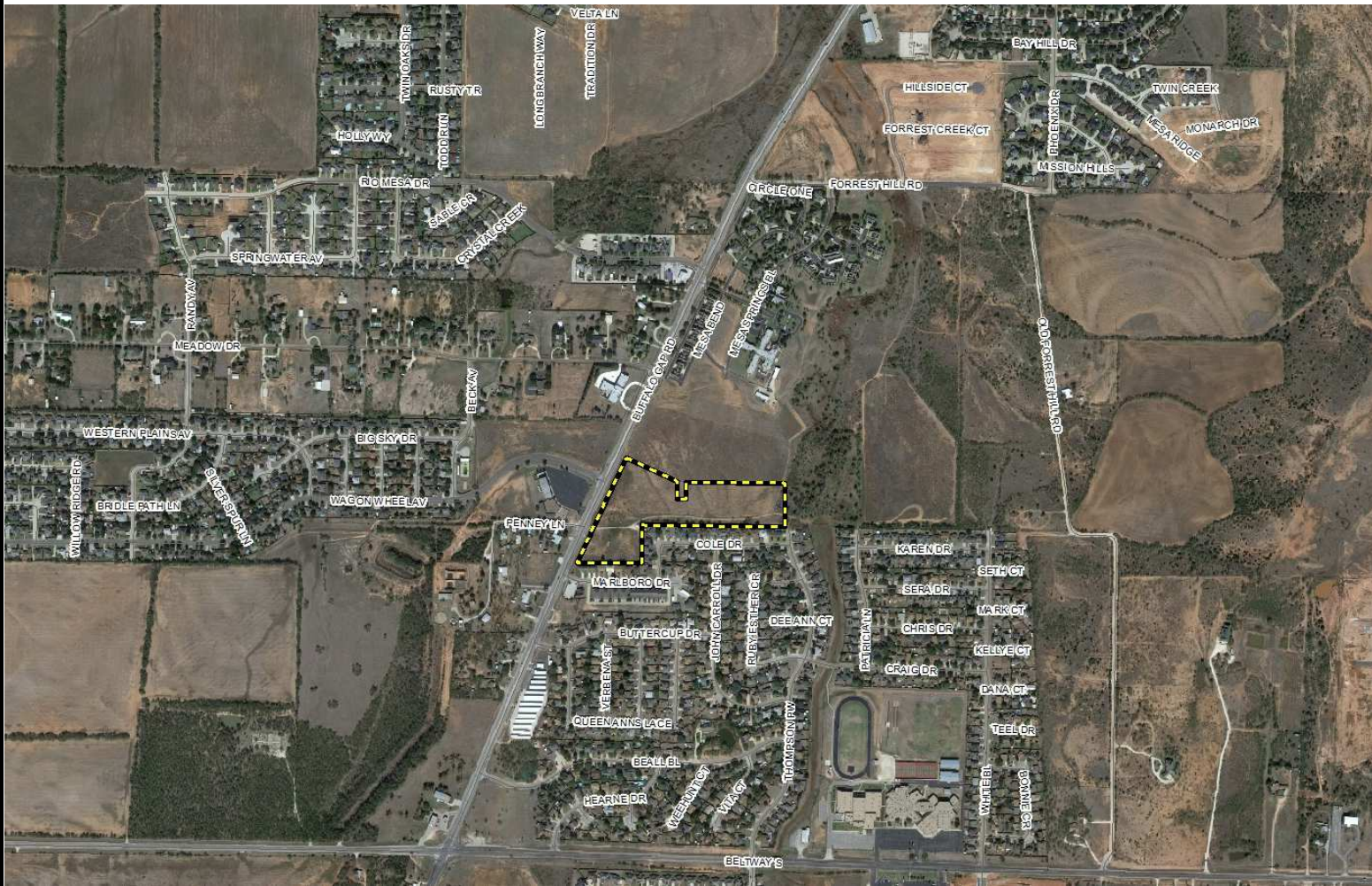
|                                  |                  |
|----------------------------------|------------------|
| SMITH ROBERT                     | 4617 MARLBORO DR |
| SMITH ROBERT                     | 4633 MARLBORO DR |
| SMITH ROBERT                     | 4549 MARLBORO DR |
| SMITH ROBERT                     | 4657 MARLBORO DR |
| SMITH ROBERT                     | 4625 MARLBORO DR |
| SMITH ROBERT                     | 4681 MARLBORO DR |
| SMITH ROBERT                     | 4609 MARLBORO DR |
| SMITH ROBERT                     | 4697 MARLBORO DR |
| SMITH ROBERT                     | 4649 MARLBORO DR |
| SMITH ROBERT                     | 4601 MARLBORO DR |
| SMITH ROBERT                     | 4689 MARLBORO DR |
| SMITH ROBERT                     | 4673 MARLBORO DR |
| SMITH ROBERT                     | 4665 MARLBORO DR |
| TAYLOR HOWARD A III &            | 4602 MARLBORO DR |
| TAYLOR HOWARD A III & HOLLIE J   | 4610 MARLBORO DR |
| TAYLOR WILLIAM F                 | 4442 COLE DR     |
| TURNER LARRY W & BETTY J         | 4558 COLE DR     |
| WHEELER CHARLES                  | 4618 MARLBORO DR |
| WYLIE UNITED METHODIST<br>CHURCH |                  |

3 in Favor- **Y**  
 1 Opposed- **N**

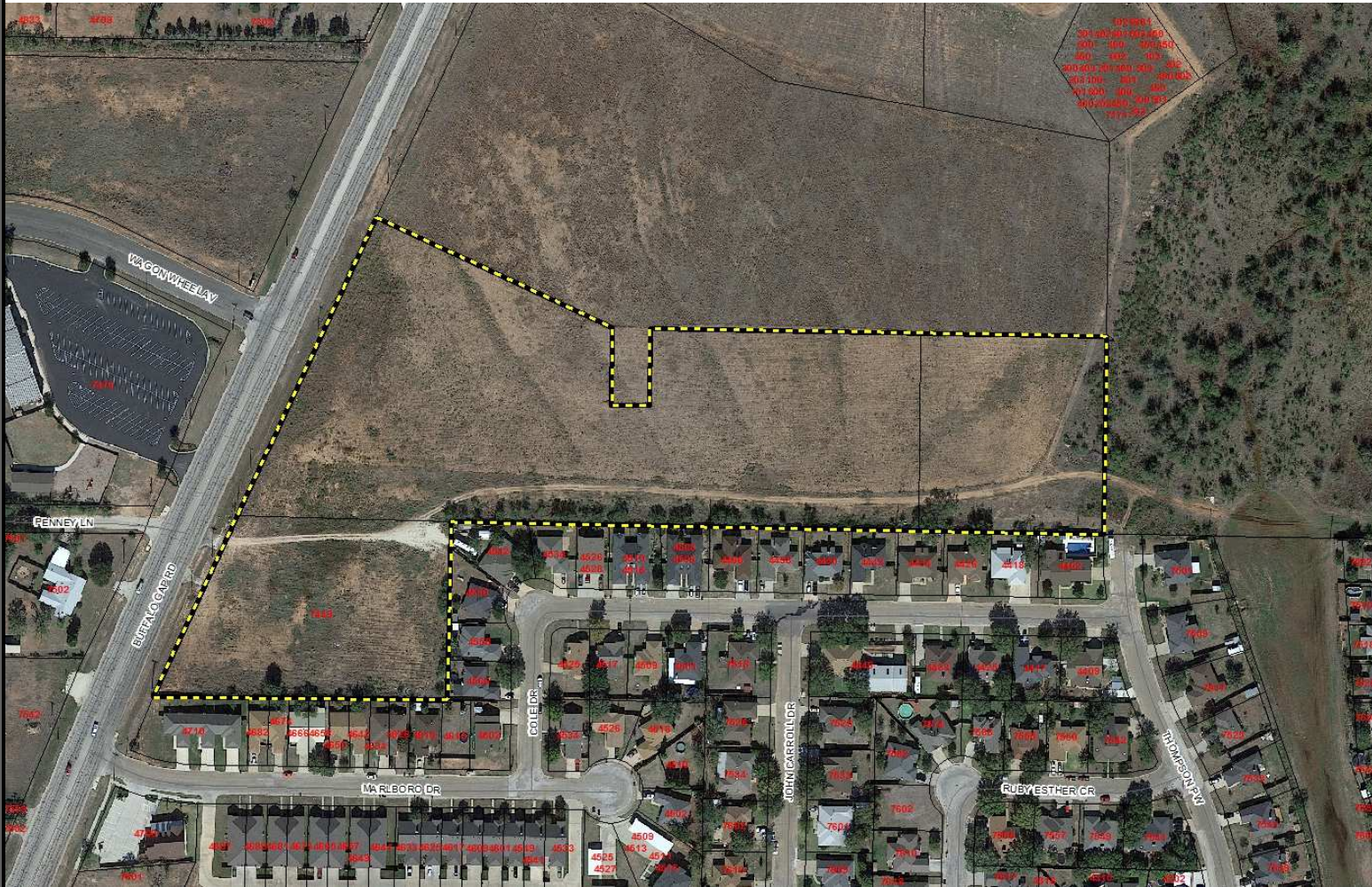




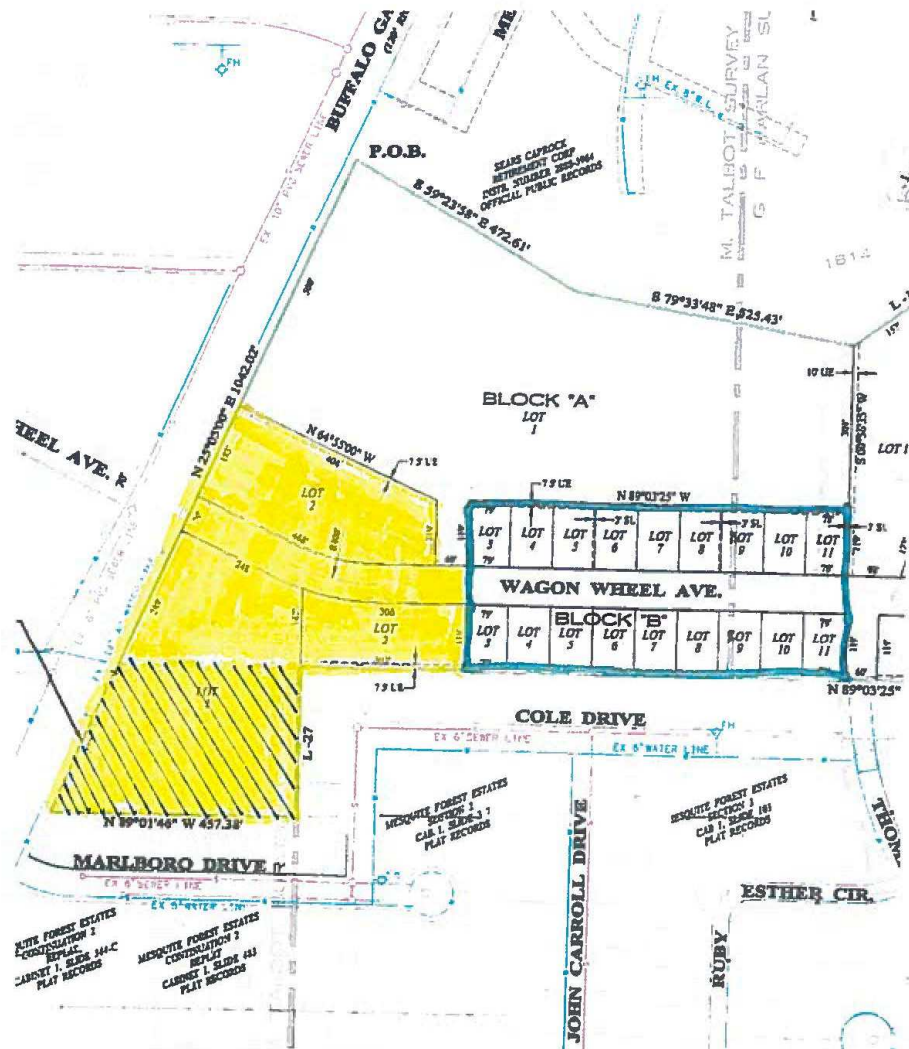








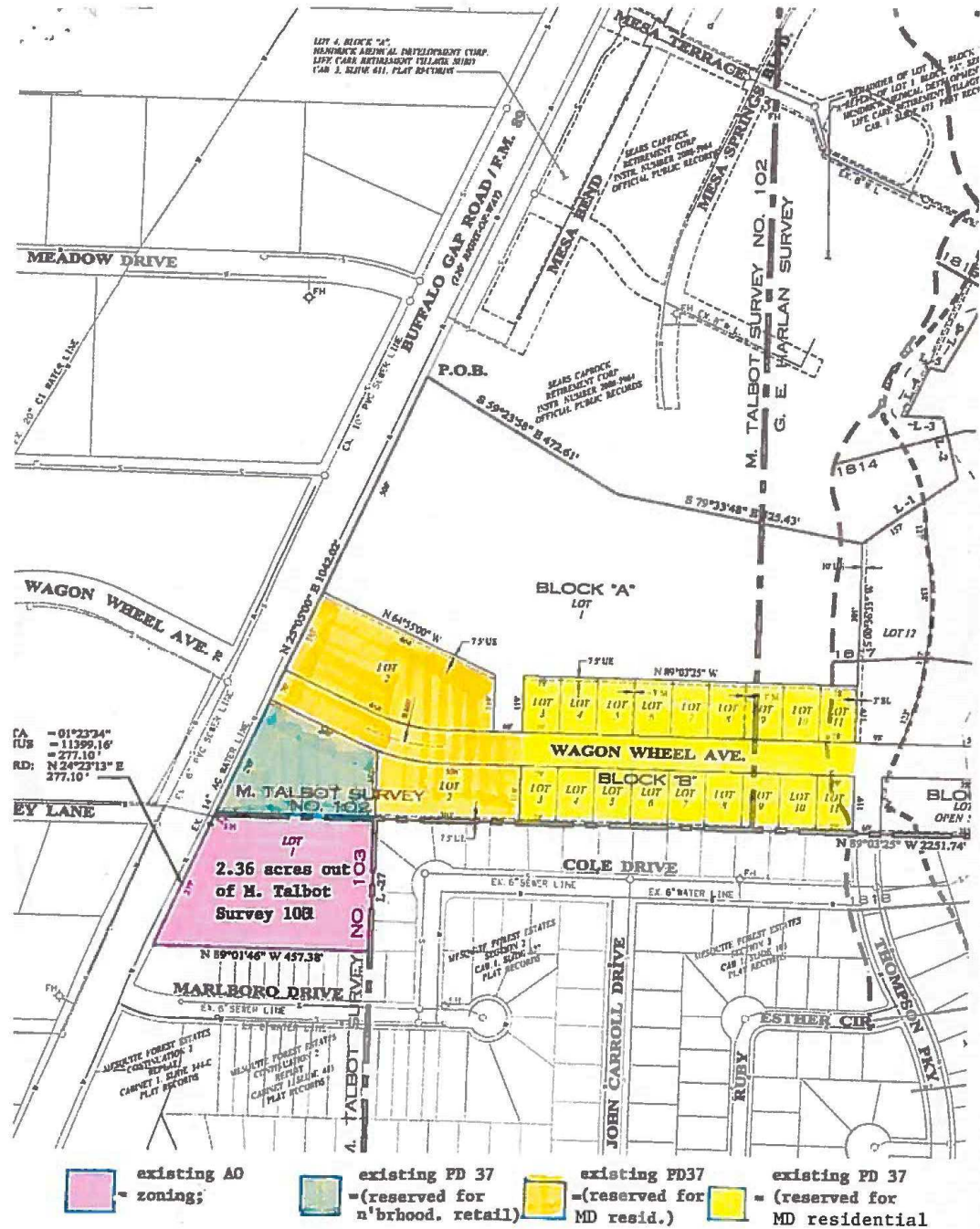
Staff Recommendation



- = NR Neighborhood Retail (\*4.66 acres)
  - = MD Medium Density Residential (current zoning - 4.99 acres)
  - = GR General Retail (\*2.36 acres)
- \* Approximate acreages



# Current Zoning







= PROPOSED GR ZONING  $(2.36^* + 4.66 \text{ acres}^{**} = 7.02 \text{ acres})$



= PROPOSED NR ZONING (4.98 acres in M. Talbot Survey 102)



**RECEIVED**  
OCT 21 2016  
**PLANNING**

CANADY JAMES E & ROSE A  
789 SUNNY HILLS CT

RAMONA, CA 92065-1886

**NOTICE OF PUBLIC HEARING**

RE: Rezoning Application Number Z-2016-42

9/22/2016

The Planning and Zoning Commission will hold a public hearing on **Monday, October 3, 2016**, at **1:30 PM**, in the City Council Chambers, 2nd Floor, City Hall, N. 5<sup>th</sup> and Walnut Streets, for the purpose of considering a request International Medical Christian Ministries INC., agent Richard Humphries, to rezone property from AO (Agricultural Open Space) and PD 37 (Planned Development) to GR (General Retail) and NR (Neighborhood Retail), located in the 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email or fax as listed below. All responses must be signed.

The attached map shows the area of the request. Only that area which is bounded by the cross-hatched line on the map is being considered for rezoning. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2<sup>nd</sup> and Final Reading with a public hearing on **November 3, 2016**, at 8:30 a.m. in Council Chambers on the second floor of City Hall, 555 Walnut Street.

---

**For the PLANNING & ZONING COMMISSION**

Please call at (325) 676-6237 if you have any questions about this notice.

**CASE #: Z-2016-42**

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: CANADY JAMES E & ROSE A  
Address: 4450 COLE DR

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

SEP 28 AM 8:59

CASE #: Z-2016-42

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: CALDWELL CHARLES & MARY

Address: 4418 COLE DR  
Abilene, TX 79604

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☐

I am opposed ☒

*We moved to this location to get out of the retail traffic. Please reconsider your position & deny this change. Thank you, Charles Caldwell 25 Sep 2016*

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2016-42

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: RAY JOSHUA DAVID & RAFAELA

Address: 4666 MARLBORO DR

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

OCT 3 AM 9:53

For the PLANNING & ZONING COMMISSION

Please call at (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2016-42

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: RAY JOSHUA DAVID & RAFAELA

Address: 4658 MARLBORO DR

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

OCT 3 AM 9:52

# Z-2016-42

**Request:** Rezone from AO and PD 37 to GR and NR zoning

**Location:** 7300-7400 Blocks (east side) of Buffalo Gap Rd, south of Mesa Springs Retirement, and north of Mesquite Forest Subdivision

**Notification:** 3 in favor; 1 opposed

**Staff Recommendation:** Approval of AO to GR (app. 2.36 acres), PD37 to NR (app. 4.66 acres)

**P & Z Recommendation:** Approval of AO to GR (app. 2.36 acres), PD37 to NR (app. 4.66 acres)







View looking north across subject property





View looking northeast toward northern portion of subject property





View looking east toward subject property on Buffalo Gap Rd.





View looking east toward southern portion of subject property





View looking southeast toward southern portion of subject property





View looking south toward west portion of subject property





View looking west across from subject property on Buffalo Gap Rd.





View looking north along Buffalo Gap Rd.

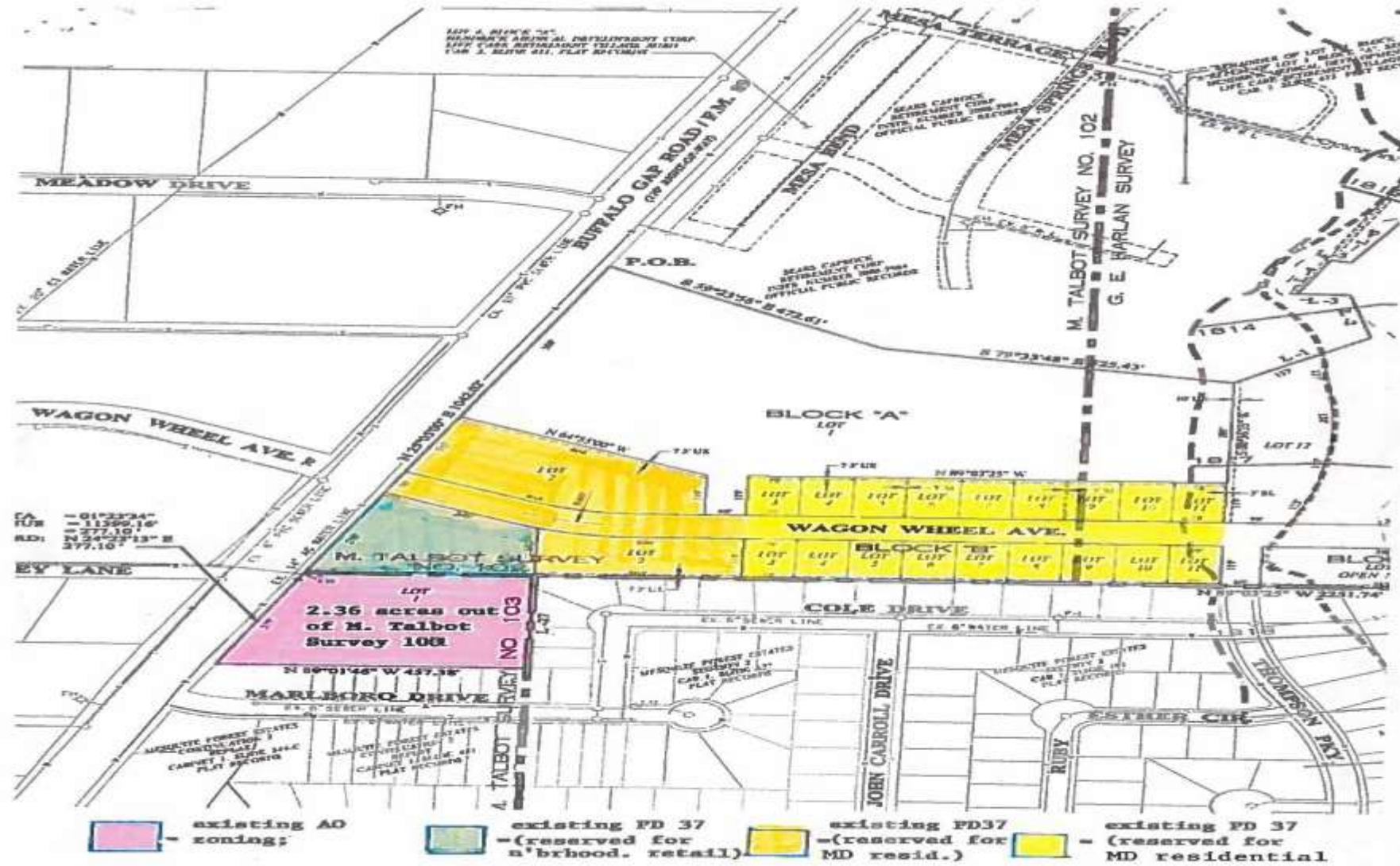


View of homes directly south of subject property

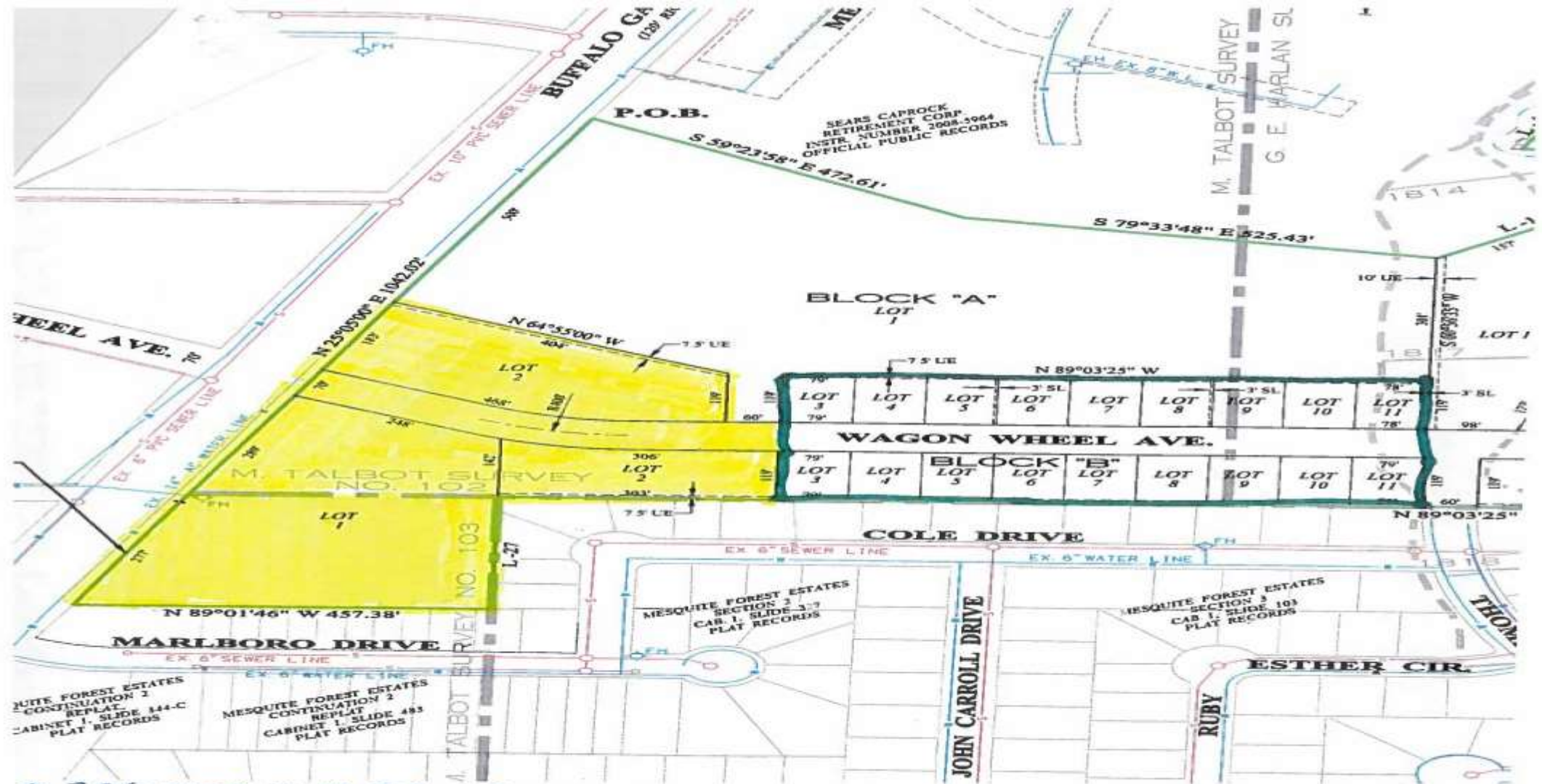




# Current Zoning



## Requested Rezoning

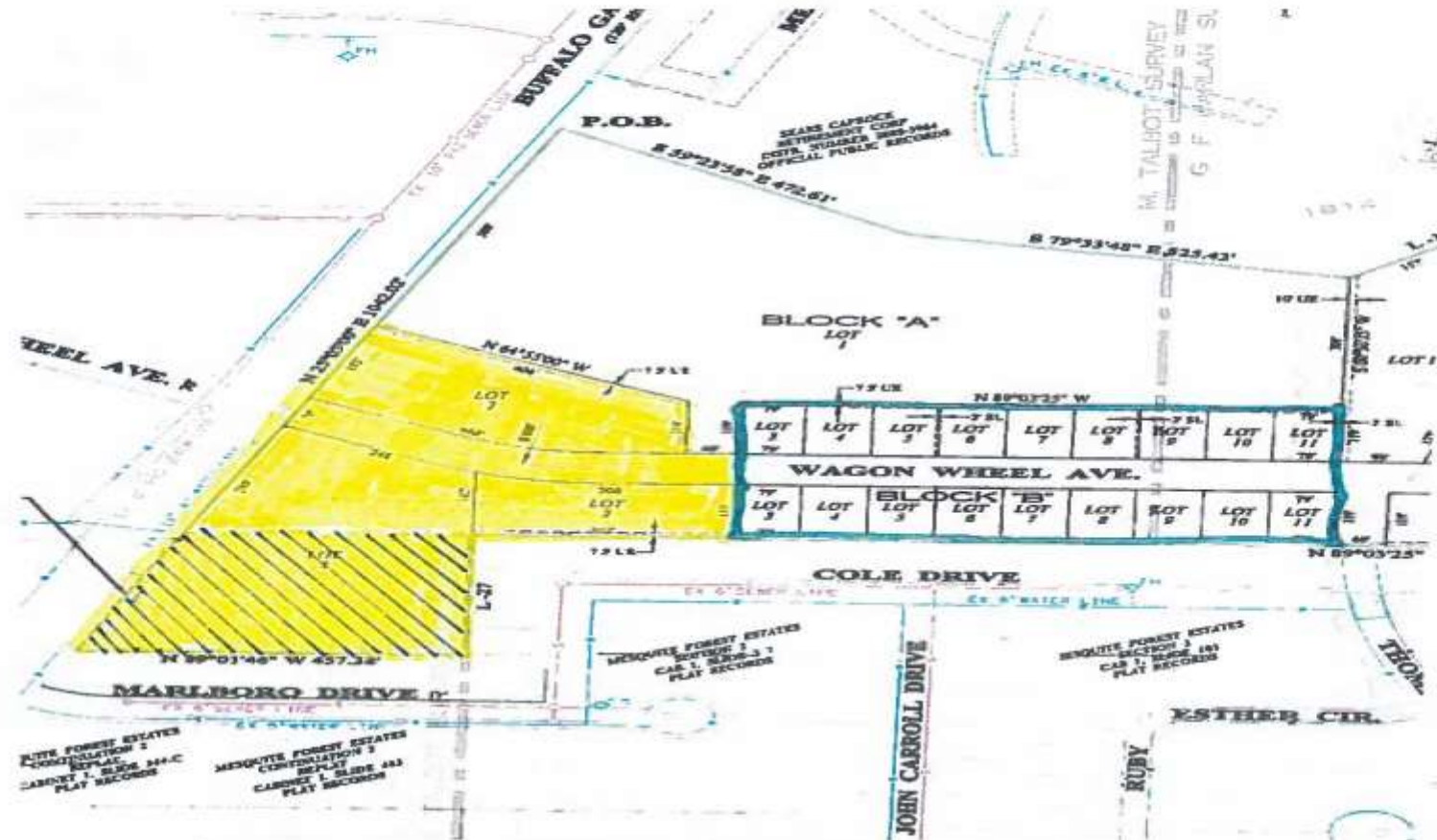


\* 2.36 acres in M. Talbot Survey No. 102  
 \* 4.66 acres in M. Talbot Survey 102  
 = PROPOSED GR ZONING (2.36\* + 4.66 acres = 7.02 acres)  
 = PROPOSED NR ZONING (4.98 acres in M. Talbot Survey 102)





# Staff Recommendation



- = NR Neighborhood Retail (\*4.66 acres)
- = MD Medium Density Residential (current zoning - \*4.93 acres)
- = GR General Retail (\*2.36 acres)

\* Approximate acreages



# Existing Permitted Uses in AO 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 Day Care Operation – Home-Based
- P Dwelling – Accessory
- TP Field Office or Construction Office (temporary)
- 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)

## **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

## **LEGEND**

- |           |   |
|-----------|---|
| <b>P</b>  | <b>Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)</b> |
| <b>C</b>  | <b>Permitted as a Conditional Use Permit, Requiring Approval by City Council</b>  |
| <b>TP</b> | <b>Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment</b>  |

## **GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:**

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

## **EDUCATIONAL AND RELIGIOUS USES:**

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

## **SERVICE**

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

## **TRADE – RETAIL USES**

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

## **TRANSPORTATION, COMMUNICATION AND UTILITIES:**

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

## **RESOURCE PRODUCTION AND EXTRACTION USES:**

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



# Proposed Permitted Uses in NR 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 Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Day Care Operation – Home Based
- C Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Fuel Sales
- P Garage Sales
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- C Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## **CULTURAL AND RECREATIONAL USES:**

- P Civic, Social, and Fraternal Organization
- C Cultural Facilities
- P Recreation – Outdoors (passive)
- C Recreation and Commercial Entertainment - Indoor

## **GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:**

- P Fire/Police Station
- C Medical/Dental Laboratory
- P Post Office
- C Social Service Facility

## **EDUCATIONAL AND RELIGIOUS USES:**

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

## **SERVICE**

- C Automobile Wash
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

## **TRADE – RETAIL USES**

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- C Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- C Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)

## **TRANSPORTATION, COMMUNICATION AND UTILITIES:**

- C Broadcast Studio
- P Public Utility Facility

## **RESOURCE PRODUCTION AND EXTRACTION USES:**

- P Petroleum or Gas Well

## **LEGEND**

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 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

# Proposed Permitted Uses in GR Zoning

## **RESIDENTIAL USES:**

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

## **ACCESSORY AND INCIDENTAL USES:**

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Day Care Operation – Home Based
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- P Garage Sales
- P Home Occupation
- TP Itinerant Business
- P Manufacturing (incidental)
- TP Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage and parking)
- P Recycling Collection Point
- P Subdivision Sales Office (temporary)
- P Swimming Pools, Private (accessory to residential use)
- P Tennis Courts, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

## **CULTURAL AND RECREATIONAL USES:**

- P Civic, Social, and Fraternal Organization
- P Cultural Facilities
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)
- P Recreation and Commercial Entertainment - Indoor

## **GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:**

- C Ambulance Service
- P Fire/Police Station
- P Medical/Dental Laboratory
- P Post Office
- C Social Service Facility

## **EDUCATIONAL AND RELIGIOUS USES:**

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

## **SERVICE**

- P/C Automobile Wash
- C Funeral Home/ Mortuary/Morgue
- P Kennel (Without Outdoor Pens)
- P Laundry/Dry Cleaning Services & Facilities
- P Office (general, professional, financial)
- P Personal Services
- C Printing, Copying, Reproduction, Publishing
- P Repair and Maintenance Services - Automobile/Small Truck (minor)
- P Repair and Maintenance Services (indoor)
- C Tattoo Parlor
- P Veterinary Service (small animals)

## **TRADE – RETAIL USES**

- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Fast Food
- P Restaurant, Standard
- P Retail Sales/Rental (indoor)
- C Retail Sales/Rental (outdoors, non-vehicle)

## **TRANSPORTATION, COMMUNICATION AND UTILITIES:**

- C Antenna Tower- Commercial
- P Automobile Parking Lot or Structure - Commercial
- P Broadcast Studio
- P Public Utility Facility

## **RESOURCE PRODUCTION AND EXTRACTION USES:**

- P Petroleum or Gas Well
- P Urban Garden

## **LEGEND**

- P
- C
- TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 of the Land Development Code)  
Permitted as a Conditional Use Permit, Requiring Approval by City Council  
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment







**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Mr. Robert Hanna, City Manager**

**FROM: Mr. Dana L. Schoening, Director of Planning and Development Services**

**Ordinance: (First Reading) Z-2016-46 A request from Griffith Lake Estates, LLC, agent Tal Fillingim to rezone property from AO (Agricultural Open Space) to PH (Patio Home)**  
**SUBJECT: zoning, located 1701 Griffith Road; and setting a public hearing for January 12, 2017.**  
***(Dana Schoening)***

---

**GENERAL INFORMATION**

The subject parcel totals approximately 49.54 acres and is currently zoned AO. The adjacent properties are zoned RS-8 (Single-Family Residential) to the west, AO to the north and east, AO & RS-6 (Single-Family Residential) to the south. There is some PH (Single-Family Residential Patio Home) zoning to the south along Griffith Road and EN 10th Street as well.

Currently the property is undeveloped. The surrounding area is developed with primarily single-family homes to the west and south. There are some patio homes on the east side of Griffith road and north of E.N. 10th Street. The property has street frontage only along Griffith Road and is proposing two entrances into the subdivision, both onto Griffith Road. Patio homes are a type of single-family residential development.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Griffith Road is designated as a 'collector' street. The desired minimum right-of way width for a "collector" road is 70' with an improved street width of 40'. In this case Griffith Road is approximately a 20' wide paved street with no curb and gutter as would typically be required for new developments. Improvement of Griffith Road will be required adjacent to the proposed subdivision. Additionally, the Master Thoroughfare Plan shows a future collector roadway entering into the proposed subdivision and turning to the south. Due to the proposed design and the substandard nature of Griffith Road and the other subdivision streets, there may be concern with this rezoning. Staff feels that the proposed number of lots may place an overwhelming burden on the present infrastructure in the surrounding area upon full development. These issues should be addressed at the preliminary plat stage.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

### **STAFF RECOMMENDATION**

Staff recommends approval of PH (Single-Family Residential Patio Home) zoning.

### **BOARD OR COMMISSION RECOMMENDATION**

**The Planning & Zoning Commission recommends approval by a vote of five (Smith, Bixby, Famble, Calk, and McClarty) in favor with none in opposition.**

### **ATTACHMENTS:**

| Description         | Type         |
|---------------------|--------------|
| ▣ Ordinance Cover   | Ordinance    |
| ▣ Ordinance Exhibit | Ordinance    |
| ▣ Staff Report      | Exhibit      |
| ▣ Presentation      | Presentation |

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, 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.

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 this 15<sup>th</sup> day of December, A.D. 2016.

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 28<sup>th</sup> day of December, 2016, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12<sup>th</sup> day of January, 2017 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 12<sup>th</sup> day of January, A.D. 2017.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to PH (Patio Home) zoning.

Legal Description:

49.54 Acres out of a 129.17 tract described as A1412 SUR 33 B A L NE/4



Location:

1701 Griffith Road

-END-

# ZONING CASE Z-2016-46

## STAFF REPORT



### APPLICANT INFORMATION:

Griffith Lake Estates

Agent: Tal Fillingim, Jacob & Martin

### HEARING DATES:

P & Z Commission: December 5, 2016

City Council 1st Reading: December 15, 2016

City Council 2nd Reading: January 12, 2017

### LOCATION:

1701 Griffith Rd. Legal Description being 49.54

Acres out of a 129.17 tract described as A1412

SUR 33 B A L NE/4.



### REQUESTED ACTION:

Rezone property from AO (Agricultural Open Space) to PH (Single-Family Residential Patio Home) zoning. Including approximately 184 new patio home lots.

### SITE CHARACTERISTICS:

The subject parcel totals approximately 49.54 acres and is currently zoned AO. The adjacent properties are zoned RS-8 (Single-Family Residential) to the west, AO to the north and east, AO & RS-6 (Single-Family Residential) to the south. There is some PH (Single-Family Residential Patio Home) zoning to the south along Griffith Road and EN 10<sup>th</sup> Street as well.

### ZONING HISTORY:

The property was annexed in 1964 and zoned AO at that time.

### ANALYSIS:

#### • Current Planning Analysis

Currently the property is undeveloped. The surrounding area is developed with primarily single-family homes to the west and south. There are some patio homes on the east side of Griffith road and north of E.N. 10<sup>th</sup> Street. The property has street frontage only along Griffith Road and is proposing two entrances into the subdivision, both onto Griffith Road. Patio homes are a type of single-family residential development.

#### • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Griffith Road is designated as a 'collector' street. The desired minimum right-of way width for a "collector" road is 70' with an improved street width of 40'. In this case Griffith Road is approximately a 20' wide paved street with no curb and gutter as would typically be required for new developments. Improvement of Griffith Road will be required adjacent to the proposed subdivision. Additionally, the Master Thoroughfare Plan shows a future collector roadway entering into the proposed subdivision and turning to the south. Due



to the proposed design and the substandard nature of Griffith Road and the other subdivision streets, there may be concern with this rezoning. Staff feels that the proposed number of lots may place an overwhelming burden on the present infrastructure in the surrounding area upon full development. These issues should be addressed at the preliminary plat stage.

#### **PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of PH (Single-Family Residential Patio Home) zoning.

#### **PLANNING AND ZONING COMMISSION RECOMMENDATION:**

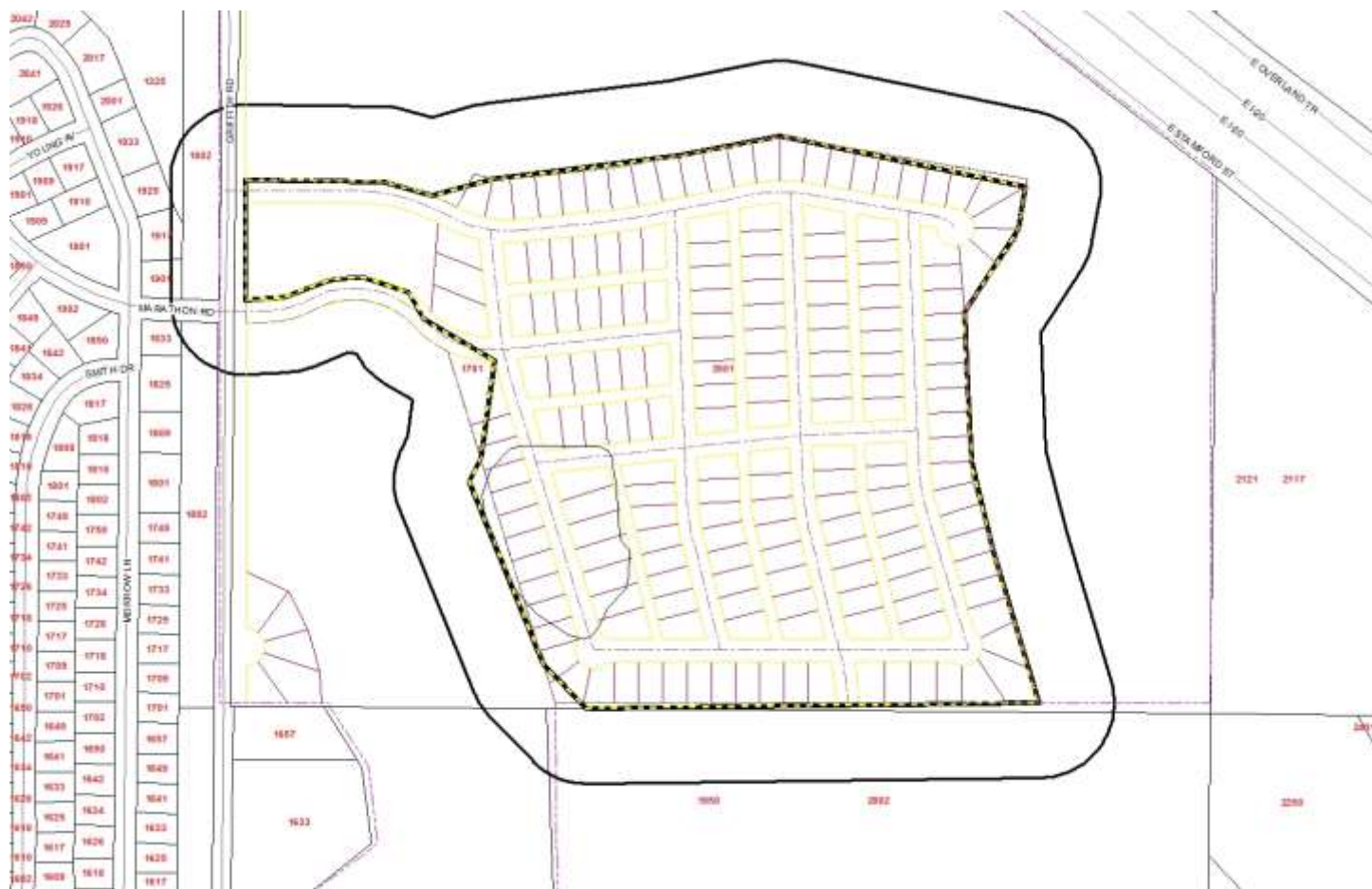
On December 5, 2016, the Planning and Zoning Commission considered and recommended this request by a vote of five (5) in favor (Bixby, Calk, Famble, Smith and McClarty), and none (0) opposed.

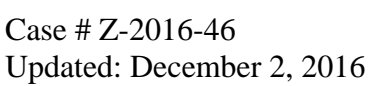
#### **NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

| OWNER                       | SITUS                   | RESPONSE |
|-----------------------------|-------------------------|----------|
| ABILENE CHRISTIAN UNIV      | 1325 E AMBLER AV        |          |
| DAVIS C BRUCE & CHARLOTTE J | 2002 WILDLIFE TRAILS PW |          |
| DAVIS C BRUCE & CHARLOTTE J | 1950 EN 10TH ST         |          |
| HANCOCK JAMES ROBERT &      | 1917 MORROW LN          |          |
| HENDRICK MEDICAL CENTER     |                         |          |
| HENDRICK MEDICAL CENTER     | 2001 GRIFFITH RD        |          |
| HENDRICK MEDICAL CENTER     | 1701 GRIFFITH RD        |          |
| PETERSON HUPERT & LENORA R  | 1925 MORROW LN          |          |
| REESE JEANENE SPA           | 1901 MORROW LN          |          |
| SKAGGS DONALD E & DAWN      | 1833 MORROW LN          |          |
| VELASCO RUBEN O JR &        | 1825 MORROW LN          |          |
| WEST TEXAS UTILITIES CO     | 1902 GRIFFITH RD        |          |
| WEST TEXAS UTILITIES CO     | 1802 GRIFFITH RD        |          |

0 in Favor- **Y**  
0 Opposed- **N**

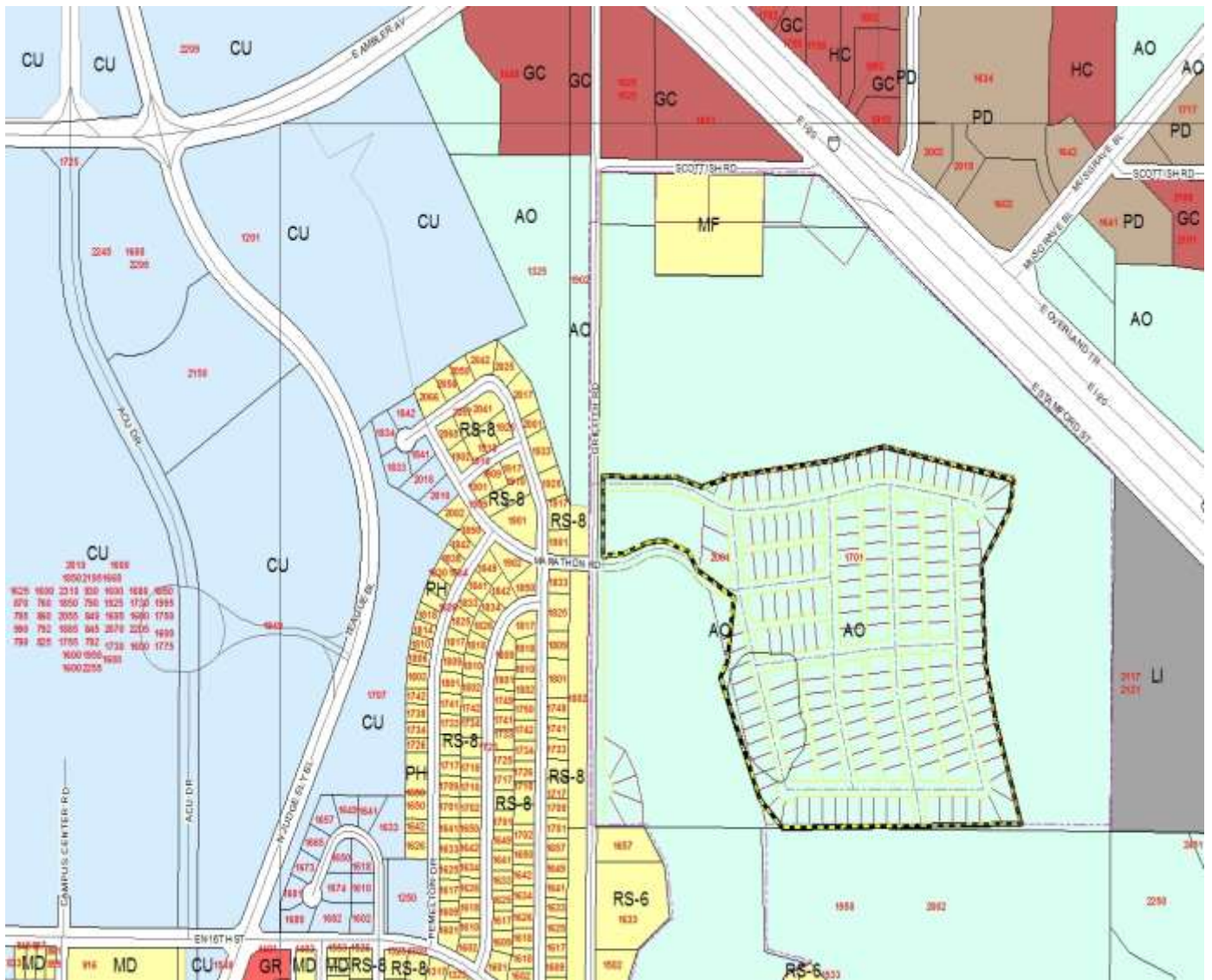


















# Z-2016-46

**Request:** Rezone from AO to PH zoning

**Location:** 1701 Griffith Rd.

**Notification:** 0 in favor; 0 opposed

**Staff Recommendation:** Approval

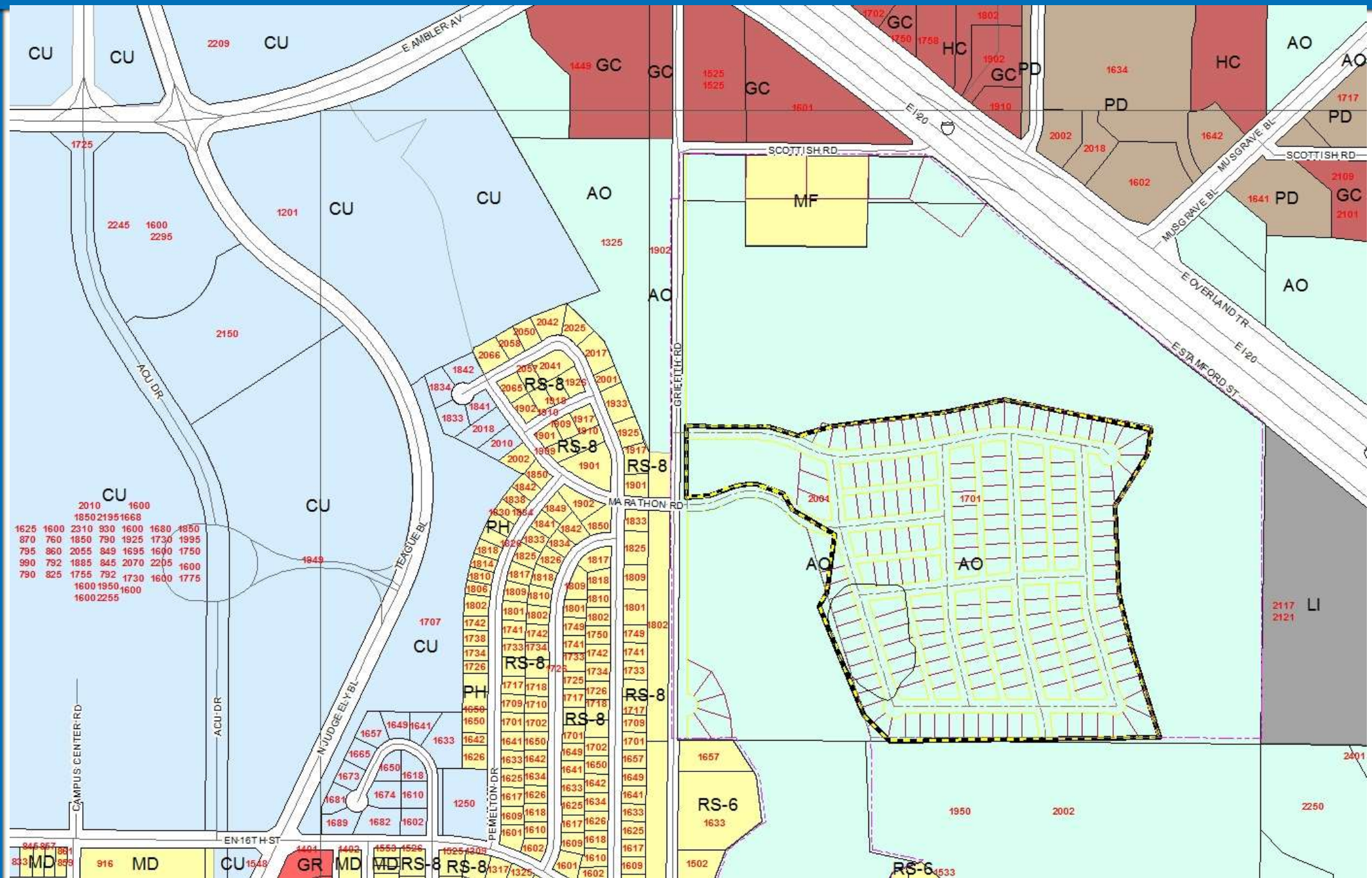
**P & Z Recommendation:** Approval



# Land development issues that should be addressed at the platting stages of development

- 1. Dedication of adequate street right-of-way along Griffith Road and Scottish Road.
- 2. Development may be potentially phased to accommodate development.
- 3. Street improvements may be identified to address potential impact of development on street infrastructure.
- 4. Extent of street and other infrastructure improvements identified.
- 5. Infrastructure improvements may be identified as potential development agreements.

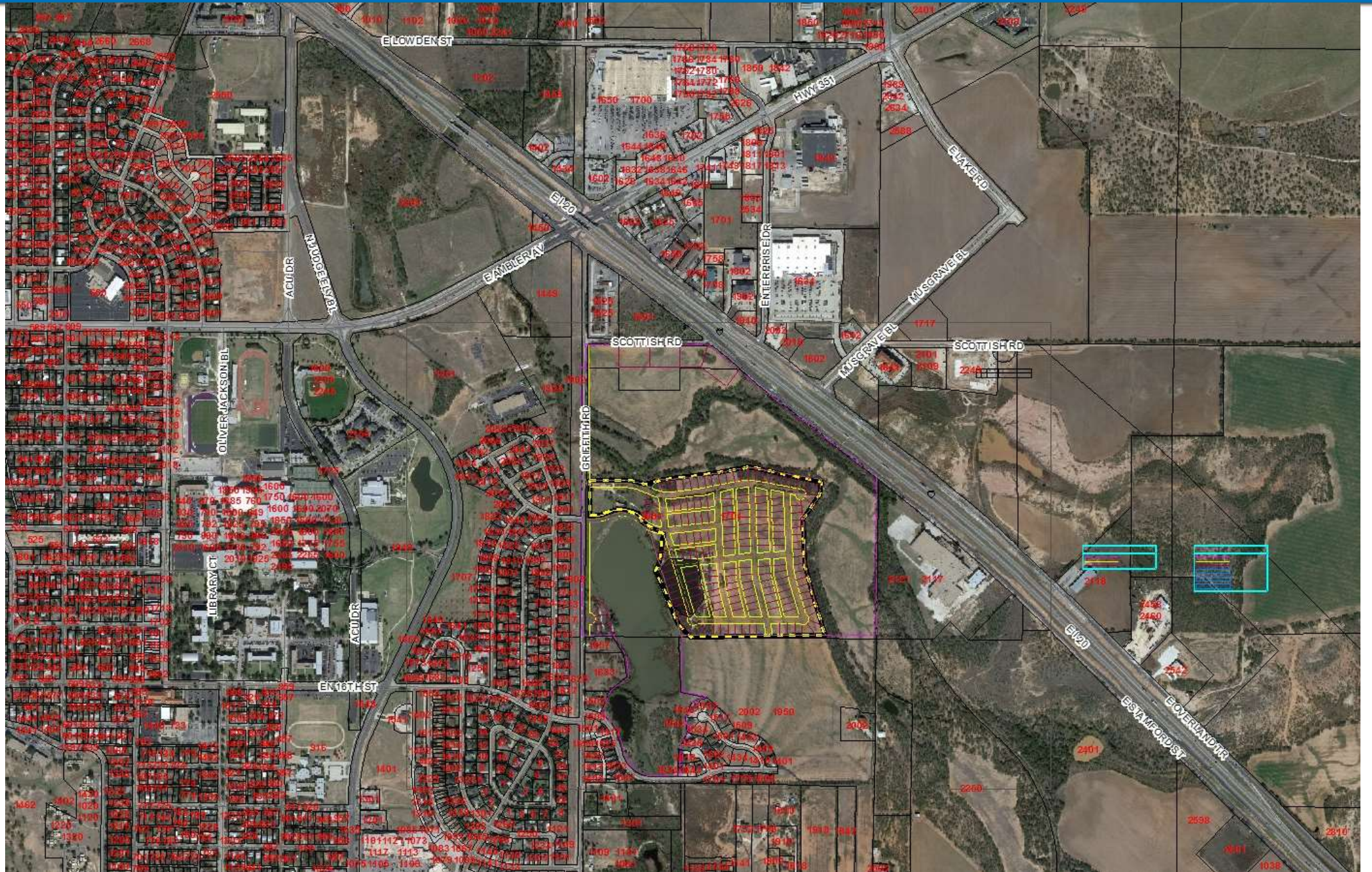




















View looking south along Griffith Rd.





View looking west across Griffith Rd.





View looking northeast along Griffith Road





View looking north along Griffith Road



View looking south along Griffith Rd.





# Existing Uses in AO 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 Day Care Operation – Home-Based
- P Dwelling – Accessory
- TP Field Office or Construction Office (temporary)
- 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)

## **CULTURAL AND RECREATIONAL USES:**

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

## **GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:**

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

## **EDUCATIONAL AND RELIGIOUS USES:**

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

## **SERVICE**

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

## **TRADE – RETAIL USES**

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

## **TRANSPORTATION, COMMUNICATION AND UTILITIES:**

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

## **RESOURCE PRODUCTION AND EXTRACTION USES:**

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

## **LEGEND**

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 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

# Proposed Uses in PH 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

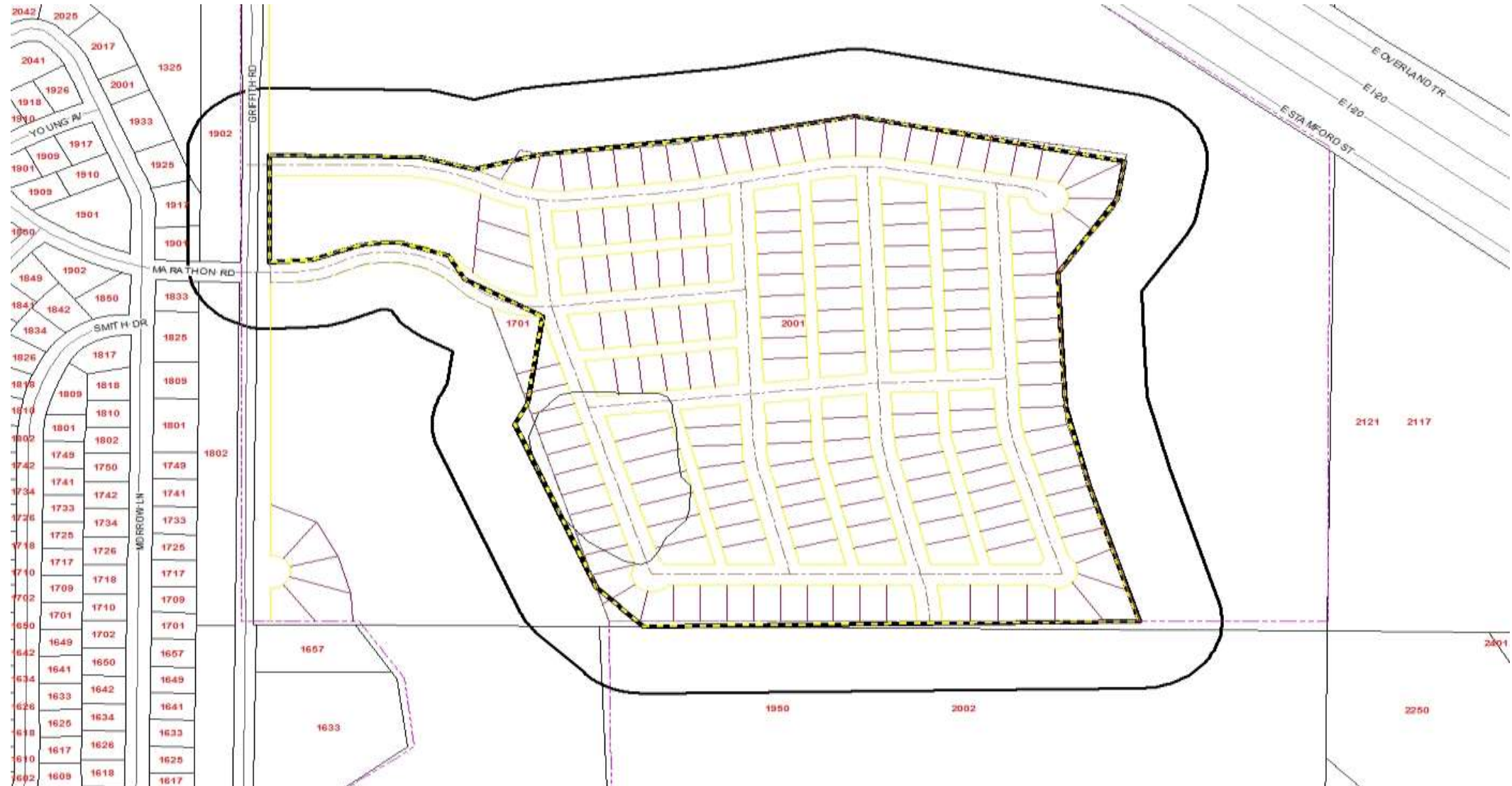
## **RESOURCE PRODUCTION AND EXTRACTION USES:**

- P Petroleum or Gas Well
- P Urban Garden

## **LEGEND**

- P Permitted as a Right-of-Use (may be subject to compliance with conditions described within Section 2.4.3 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

0 in Favor- ●  
0 Opposed- ●







**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Mr. Robert Hanna, City Manager**

**FROM: Mr. Dana L. Schoening, Director of Planning and Development Services**

**Ordinance: (*First Reading*) Z-2016-47 A request from Matthew W. Meador, to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning, located at 1941 N. 3rd Street; and setting a public hearing for January 12, 2017. (*Dana Schoening*)**

---

**GENERAL INFORMATION**

LOCATION: 1941 North 3rd Street.

REQUESTED ACTION: Rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning.

SITE CHARACTERISTICS: The subject parcel totals approximately 0.6966 acres and is currently zoned MD. The adjacent properties are all zoned MD. Four of which also have Historic Overlay Zoning.

ZONING HISTORY: The property was annexed in 1895 and zoned MD sometime after. ANALYSIS: This is a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences built in 1910. The structural system is frame. The foundation is undetermined. Exterior walls are original wood siding. The building has a multi-plane/complex roof clad in replacement asphalt shingles with box cornice. There are three offset left, side slope, brick chimneys and two offset right, straddle ridge, brick chimneys. Windows are original wood, 1/1 double-hung sashes. There is a single-story, recessed corner umbrage characterized by a belcast gable roof with classical wood posts. The property is currently zoned as MD. The applicant is requesting historic overlay zoning. All of the properties nearby are MD (Medium Density Residential), with 4 other surrounding properties having the Historic Overlay Zoning as well. The project's purpose is to rezone this property to match the Historic designation.

COMPREHENSIVE PLANNING ANALYSIS: The Future Land Use section of the Comprehensive Plan designates this property as part of the 'low density residential'. The existing MD zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**SPECIAL CONSIDERATIONS**

## **FUNDING/FISCAL IMPACT**

Two-hundred dollars (\$200) annually.

Per Section 30-40 of the Abilene City Code, owners of properties in the Historic Overlay zoning district automatically receive a reduction of their City of Abilene real property taxes. Based on the current valuation of the property, the tax assessor will provide a real property tax reduction of \$200.00 annually. This amount may increase in the future if the valuation of the property substantially increases.

## **STAFF RECOMMENDATION**

### **LANDMARKS COMMISSION RECOMMENDATION:**

The Landmarks Commission recommends approval by a vote of 5 in favor (Minter, Weatherl, Butman, Lee, and McClellan), and none opposed.

### **PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

## **BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval by a vote of five (Smith, Bixby, Famble, Calk, and McClarty) in favor with none in opposition.

## **ATTACHMENTS:**

| Description               | Type            |
|---------------------------|-----------------|
| ❑ Ordinance Cover         | Ordinance       |
| ❑ Ordinance Exhibit       | Ordinance       |
| ❑ Staff Report            | Exhibit         |
| ❑ Responses               | Backup Material |
| ❑ PowerPoint Presentation | Presentation    |

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, 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.

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 this 15<sup>th</sup> day of December, A.D. 2016.

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 28<sup>th</sup> day of December, 2016, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12<sup>th</sup> day of January, 2017 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 12<sup>th</sup> day of January, A.D. 2017.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY



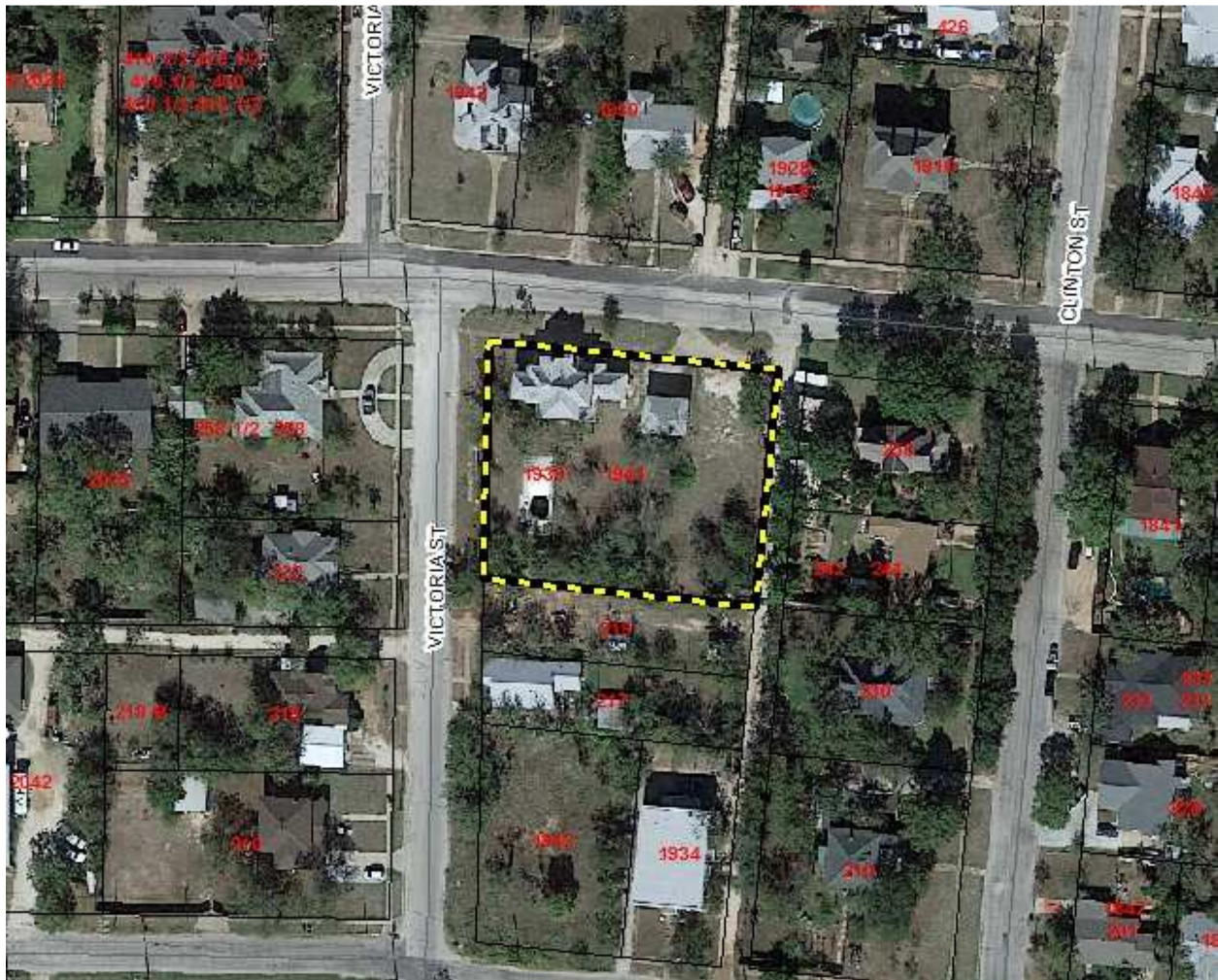
ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from MD (Medium Density Residential) to MD / H (Medium Density Residential, Historic Overlay) zoning.

Legal Description:

OT ABILENE BLK 206 THOMAS, BLOCK 1-3, LOT 9-11



Location:  
1941 N. 3rd Street

- END -

# ZONING CASE Z-2016-47

## STAFF REPORT



### APPLICANT INFORMATION:

Matthew W. Meador

### HEARING DATES:

P & Z Commission: December 5, 2016

City Council 1<sup>st</sup> Reading: December 15, 2016

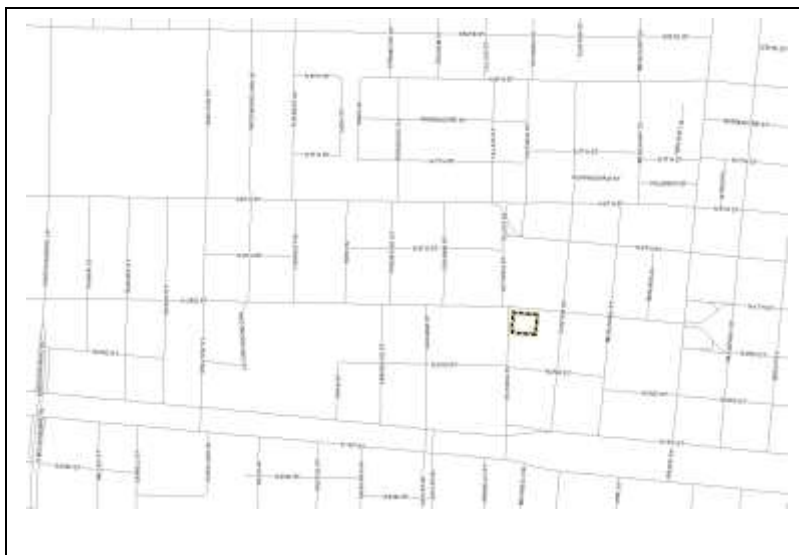
City Council 2<sup>nd</sup> Reading: January 12, 2017

### LOCATION:

1941 North 3rd Street.

### REQUESTED ACTION:

Rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential/Historic Overlay) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 0.6966 acres and is currently zoned MD. The adjacent properties are all zoned MD. Four of which also have Historic Overlay Zoning.

### ZONING HISTORY:

The property was annexed in 1895 and zoned MD sometime after.

### ANALYSIS:

- Current Planning Analysis

This is a 2-story, multiple-bay domestic building in the Queen Anne style with Beaux Arts/Neo-Classical influences built in 1910. The structural system is frame. The foundation is undetermined. Exterior walls are original wood siding. The building has a multi-plane/complex roof clad in replacement asphalt shingles with box cornice. There are three offset left, side slope, brick chimneys and two offset right, straddle ridge, brick chimneys. Windows are original wood, 1/1 double-hung sashes. There is a single-story, recessed corner umbrage characterized by a bellcast gable roof with classical wood posts.

The property is currently zoned as MD. The applicant is requesting historic overlay zoning. All of the properties nearby are MD (Medium Density Residential), with 4 other surrounding properties having the Historic Overlay Zoning as well. The project's purpose is to rezone this property to match the Historic designation.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this property as part of the 'low density residential'. The existing MD zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

**LANDMARKS COMMISSION RECOMMENDATION:**

The Landmarks Commission recommends approval by a vote of 5 in favor (Minter, Weatherl, Butman, Lee, and McClellan), and none opposed.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

On December 5, 2016, the Planning and Zoning Commission considered and recommended this request by a vote of five (5) in favor (Bixby, Calk, Famble, Smith and McClarty), and none (0) opposed.

**NOTIFICATION:**

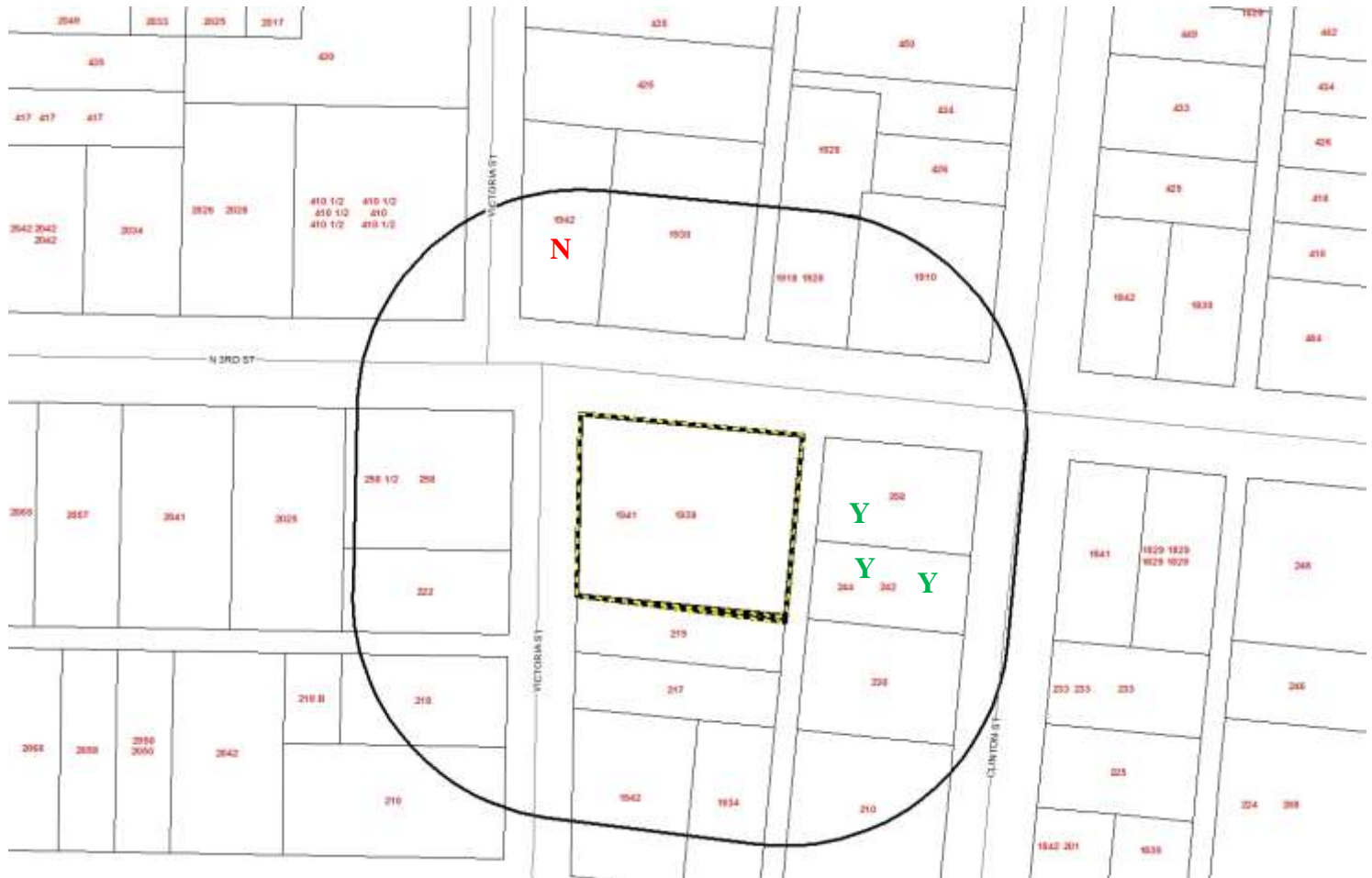
Property owners within a 200-foot radius were notified of the request.

| OWNER                          | POST_SITUS                    | RESPONSE |
|--------------------------------|-------------------------------|----------|
| BARBER MICHAEL E & CHERYL      | 1928 N 3RD ST                 |          |
| BASSINGER WILBURN J & WINONA M | 222 VICTORIA ST               |          |
| BLASCHKE CARRIE                | 258 CLINTON ST                | In Favor |
| BLASCHKE RUSSELL               | 242 CLINTON ST                | In Favor |
| BLASCHKE RUSSELL               | 244 CLINTON ST                | In Favor |
| BOWER RICHARD K & LAURIE JAN   | 410 1/2 VICTORIA ST           |          |
| BOWER RICHARD K & LAURIE JAN   | 410 1/2 VICTORIA ST APT APT 1 |          |
| BOWER RICHARD K & LAURIE JAN   | 410 1/2 VICTORIA ST APT APT 2 |          |
| BOWER RICHARD K & LAURIE JAN   | 410 1/2 VICTORIA ST APT APT 4 |          |
| BOWER RICHARD K & LAURIE JAN   | 410 VICTORIA ST               |          |
| BOWER RICHARD K & LAURIE JAN   | 410 1/2 VICTORIA ST APT APT 3 |          |
| COLLIER HOWARD TAYLOR III      | 210 CLINTON ST                |          |
| HAMM KEVIN R & SANDRA D        | 230 CLINTON ST                |          |
| HERNANDEZ EDUARDO A            | 218 VICTORIA ST               |          |
| KAGABO JEAN MARIE              | 1942 N 2ND ST                 |          |
| LANIER PROPERTIES LLC          | 1934 N 2ND ST                 |          |
| LECK JUDY GAIL                 | 210 VICTORIA ST               |          |
| MARTINEZ PAUL A JR & GAIL      | 1930 N 3RD ST                 |          |
| MATTA PAUL R & ALMA L          | 1942 N 3RD ST                 | Opposed  |
| MEADOR MATTHEW WARREN &        | 1941 N 3RD ST                 |          |
| MEADOR MATTHEW WARREN &        | 1939 N 3RD ST                 |          |
|                                |                               |          |



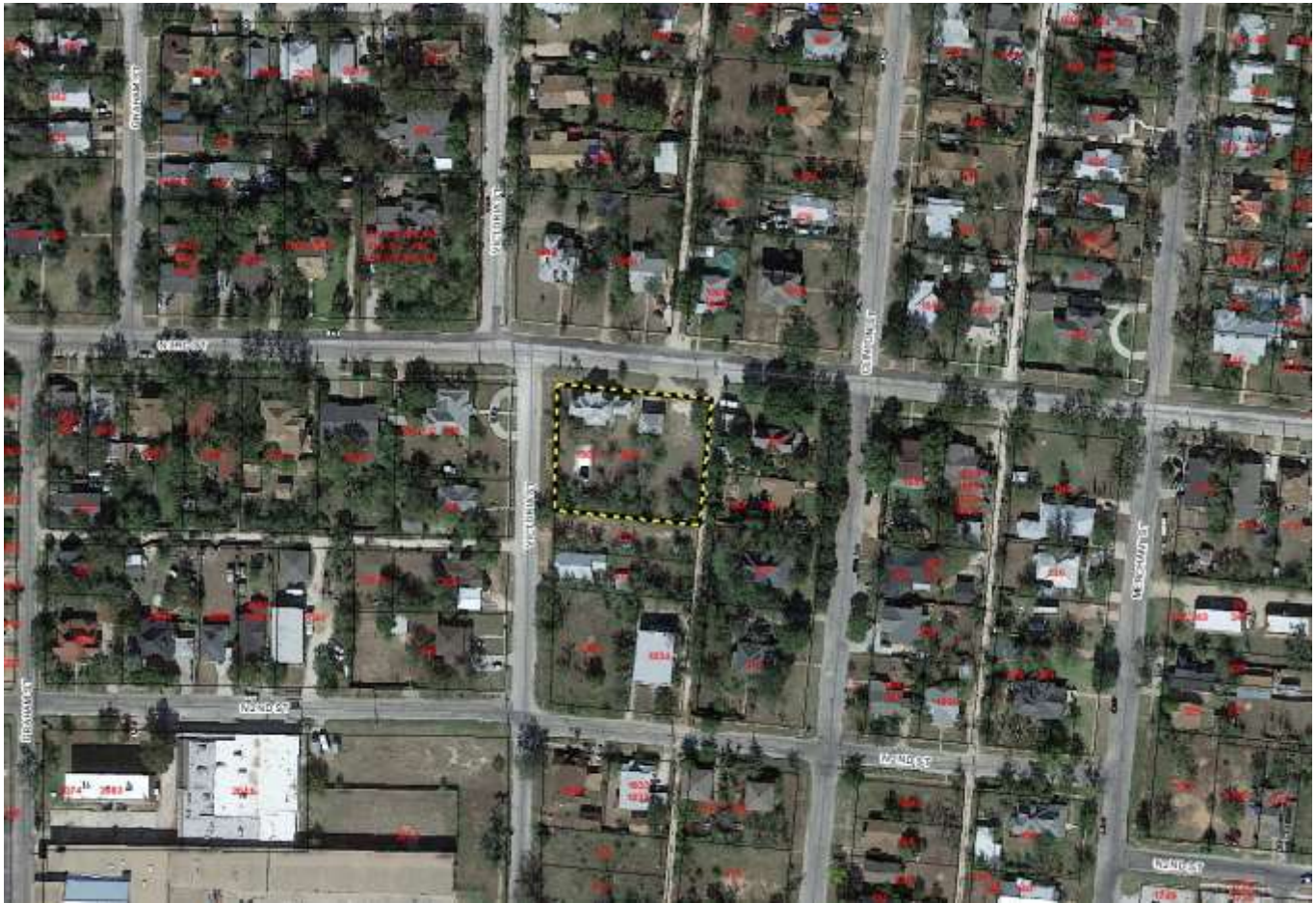
|                        |                     |  |
|------------------------|---------------------|--|
| ROSS DOUGLAS D         | 258 VICTORIA ST     |  |
| ROSS DOUGLAS D         | 258 1/2 VICTORIA ST |  |
| TEDFORD MARSHALL O &   | 426 CLINTON ST      |  |
| WAYNE JERRY J          | 217 VICTORIA ST     |  |
| WAYNE JERRY J          | 219 VICTORIA ST     |  |
| WILLEFORD JAMES & DANA | 1928 N 3RD ST       |  |
| WILLEFORD JAMES & DANA | 1910 N 3RD ST       |  |

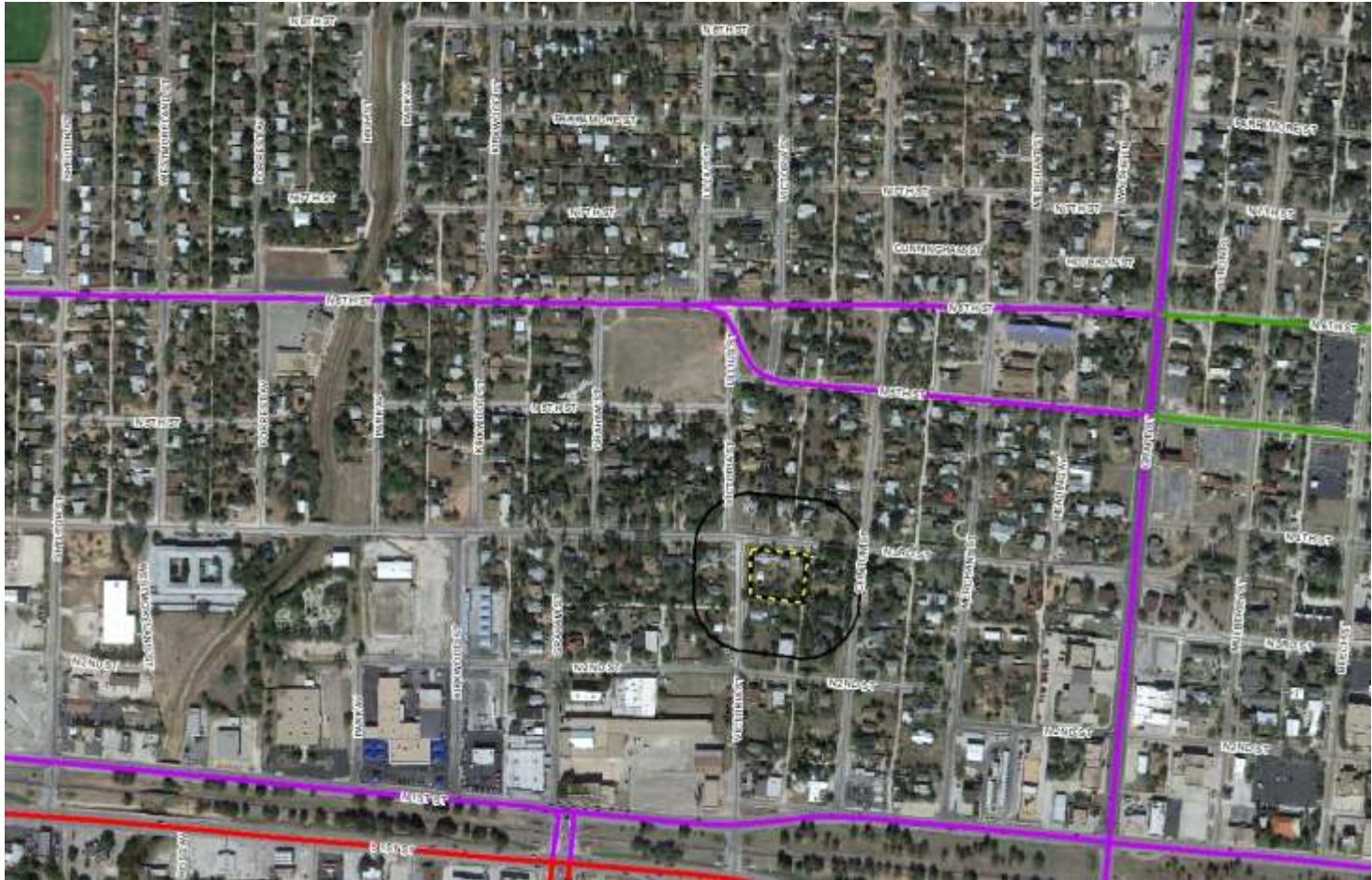
3 in Favor- **Y**  
 1 Opposed- **N**

















# For the PLANNING & ZONING COMMISSION

Please call (325) 676-6237 if you have any questions about this notice.

## CASE #: Z-2016-47

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: BLASCHKE RUSSELL

Address: 242 CLINTON ST

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature:

Russell Blaschke

NOV 28 AM 11:54

**For the PLANNING & ZONING COMMISSION**

Please call (325) 676-6237 if you have any questions about this notice.

**CASE #: Z-2016-47**

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: MATTA PAUL R & ALMA L

Address: 1942 N 3RD ST

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☐

I am opposed ☒

Additional Comments:

Signature: 

If it didn't have it up to now -  
why or who is requesting it.

In my opinion - there is not enough historical  
significance to the address mentioned.

NOV 30 AM 11:38

**For the PLANNING & ZONING COMMISSION**

Please call (325) 676-6237 if you have any questions about this notice.

**CASE #: Z-2016-47**

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: BLASCHKE CARRIE

Address: 258 CLINTON ST

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: 

NOV 28 AM 11:54

**For the PLANNING & ZONING COMMISSION**

Please call (325) 676-6237 if you have any questions about this notice.

**CASE #: Z-2016-47**

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also fax or email your position to the fax number or email address also listed below. All correspondence must include your name and address.

Name: BLASCHKE RUSSELL

Address: 244 CLINTON ST

Mailing To: Planning and Development Services  
P.O. Box 60, Abilene TX 79604-0060

Fax #: (325) 676-6288  
email: [planning@abilenetx.com](mailto:planning@abilenetx.com)

I am in favor ☒

I am opposed ☐

Additional Comments:

Signature: 

NOV 28 AM 11:54

## Z-2016-47

**Request:** Rezone from MD to MD/H zoning

**Location:** 1941 N. 3<sup>rd</sup> St.

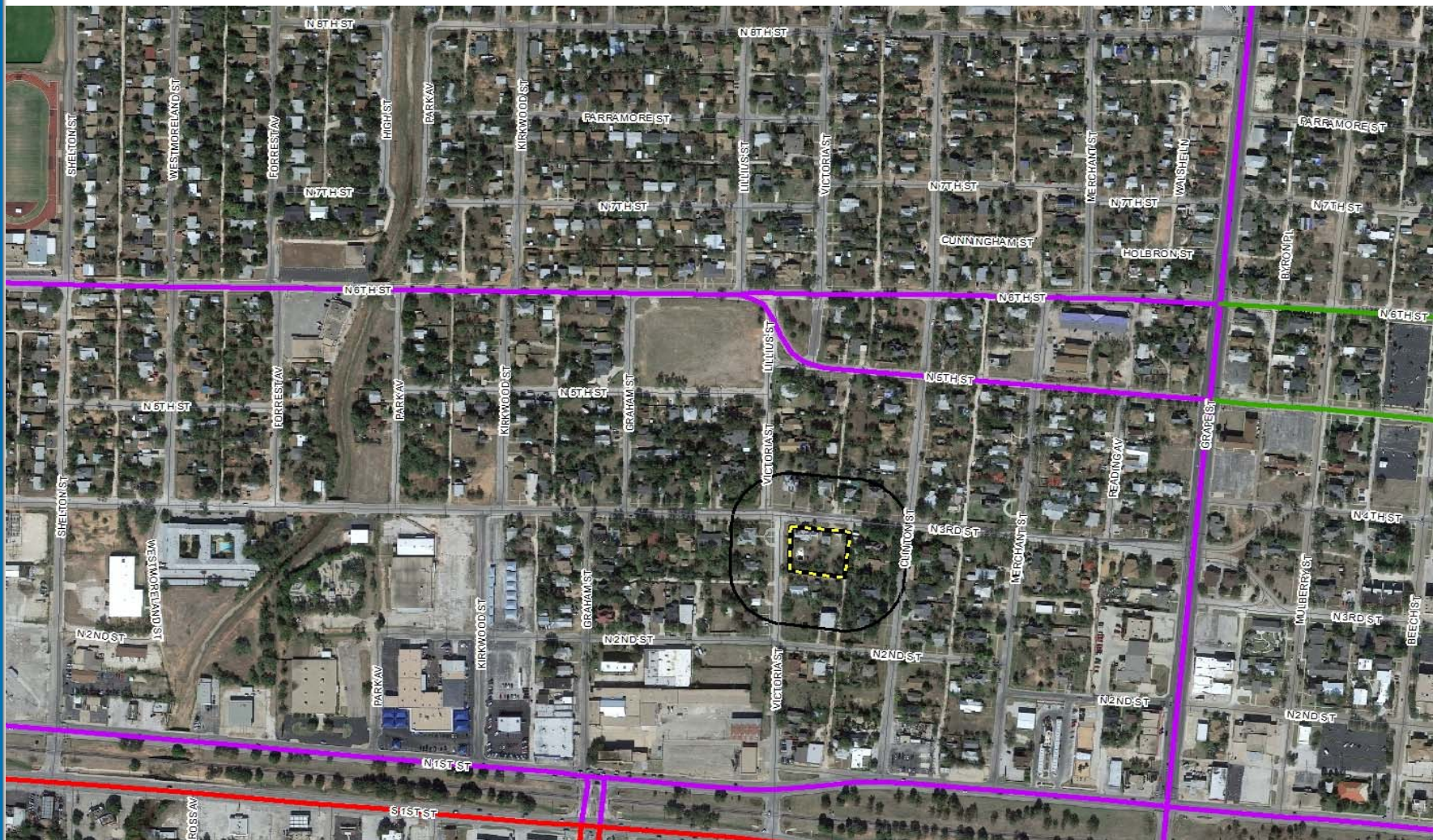
**Notification:** 3 in favor; 1 opposed

**Staff Recommendation:** Approval



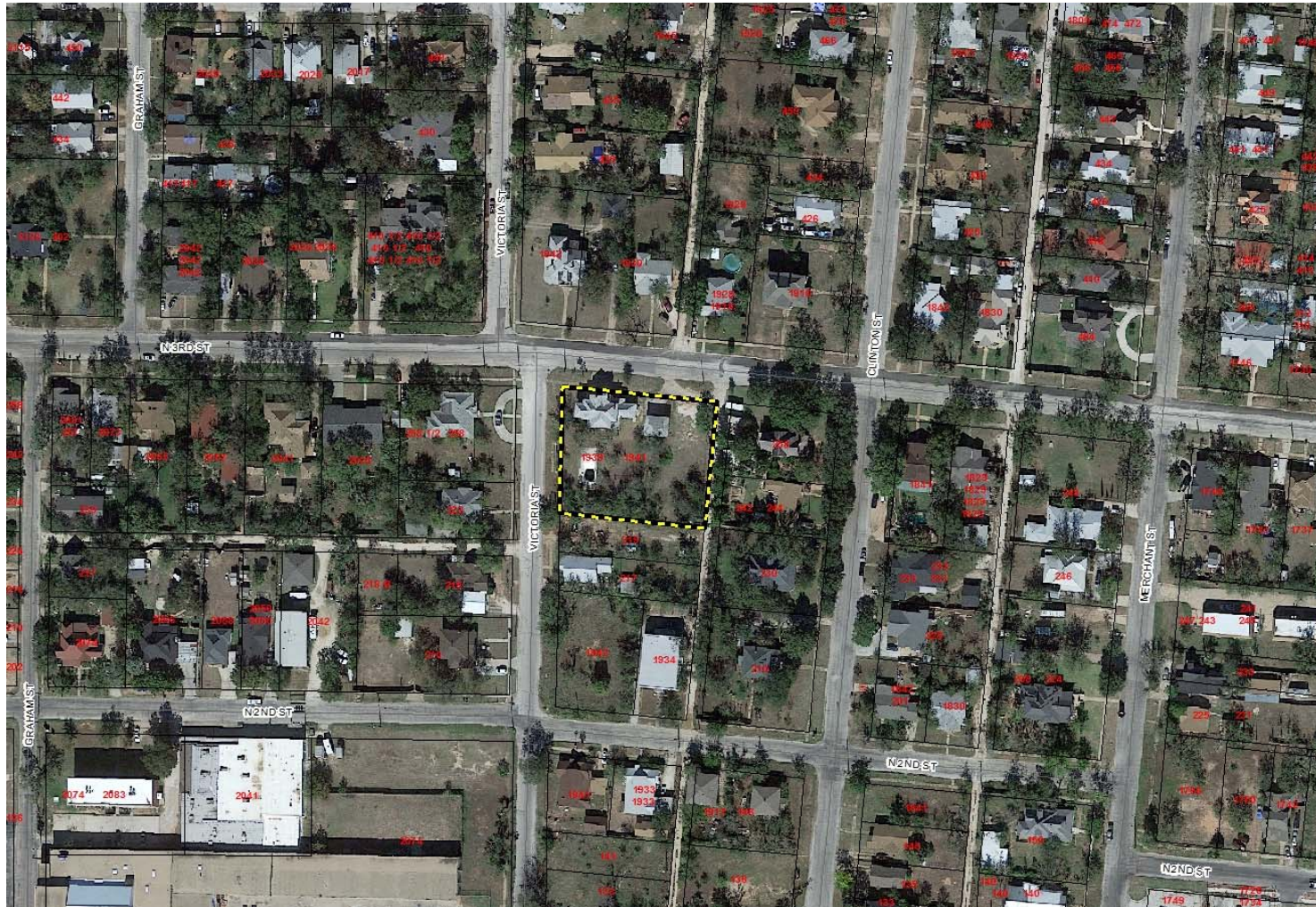


Z-2016-47



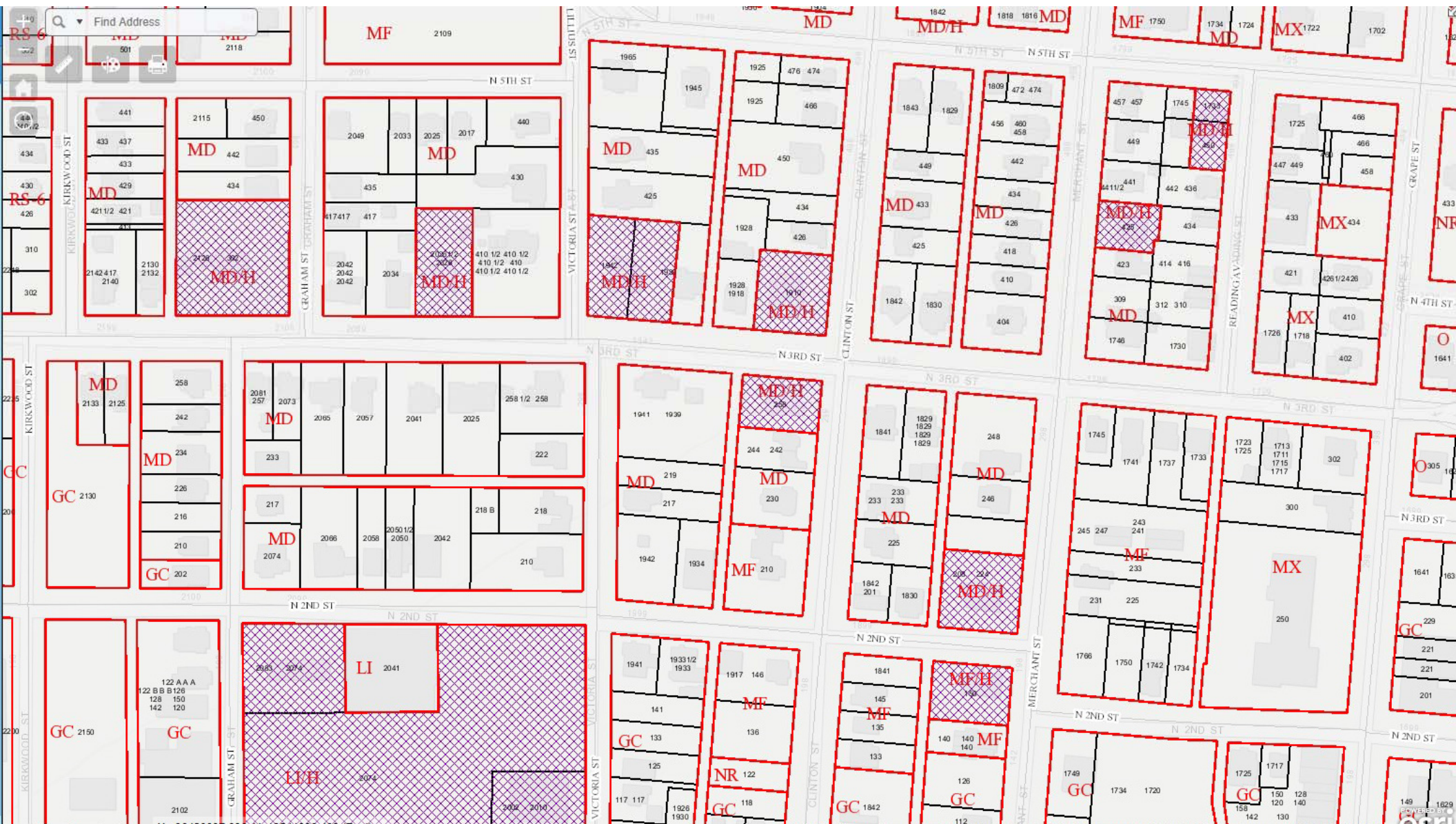


HOZ-2016-02









1997





2011



























## Historic Overlay Information

- **Benefits:**

- **1. Property Tax Reduction**

- Annual City Property Taxes – Credit of \$200.00 or 20% of city property taxes, whichever is greater;
- Project Property Tax Reduction – Credit of 50% of city property taxes for up to 10 years to recover rehabilitation costs;
- Tax reductions for both may be different if property is in the Tax Increment Finance District in downtown.

- **2. Historic Building Plaque**

- A plaque is to be placed on the exterior of the property within a reasonable time after the zoning is approved. The plaque will be provided and mounted by the City of Abilene in a place that is agreeable to the owner, but must be somewhere on the front elevation and be seen from the public right-of-way. The plaque is to remain with the property (regardless of an ownership change) as long as the property has Historic Overlay Zoning.

- **Requirements:**

- 1. Building permit review by the Landmarks Commission on buildings and permanent sign permits.
- 2. Review by the Landmarks Commission for other exterior alterations (e.g. change of exterior paint color, siding, window treatments, exterior doors, light fixtures, fences, steps, other exterior elements visible from public right-of-way.
- 3. Demolition permit review by the Landmarks Commission. (Demolition could be delayed for one year from the time of denial of a demolition permit.)



- **Criteria for Historic District Overlay Designation**

- Significance or value to the development, heritage, or cultural characteristics of Abilene. This significance can be in history, archeology, or culture.

- **Landmarks Commission Recommendation**

- Recommend approval, 5-0

- **Planning and Zoning Commission Recommendation**

- Recommend approval, 5-0

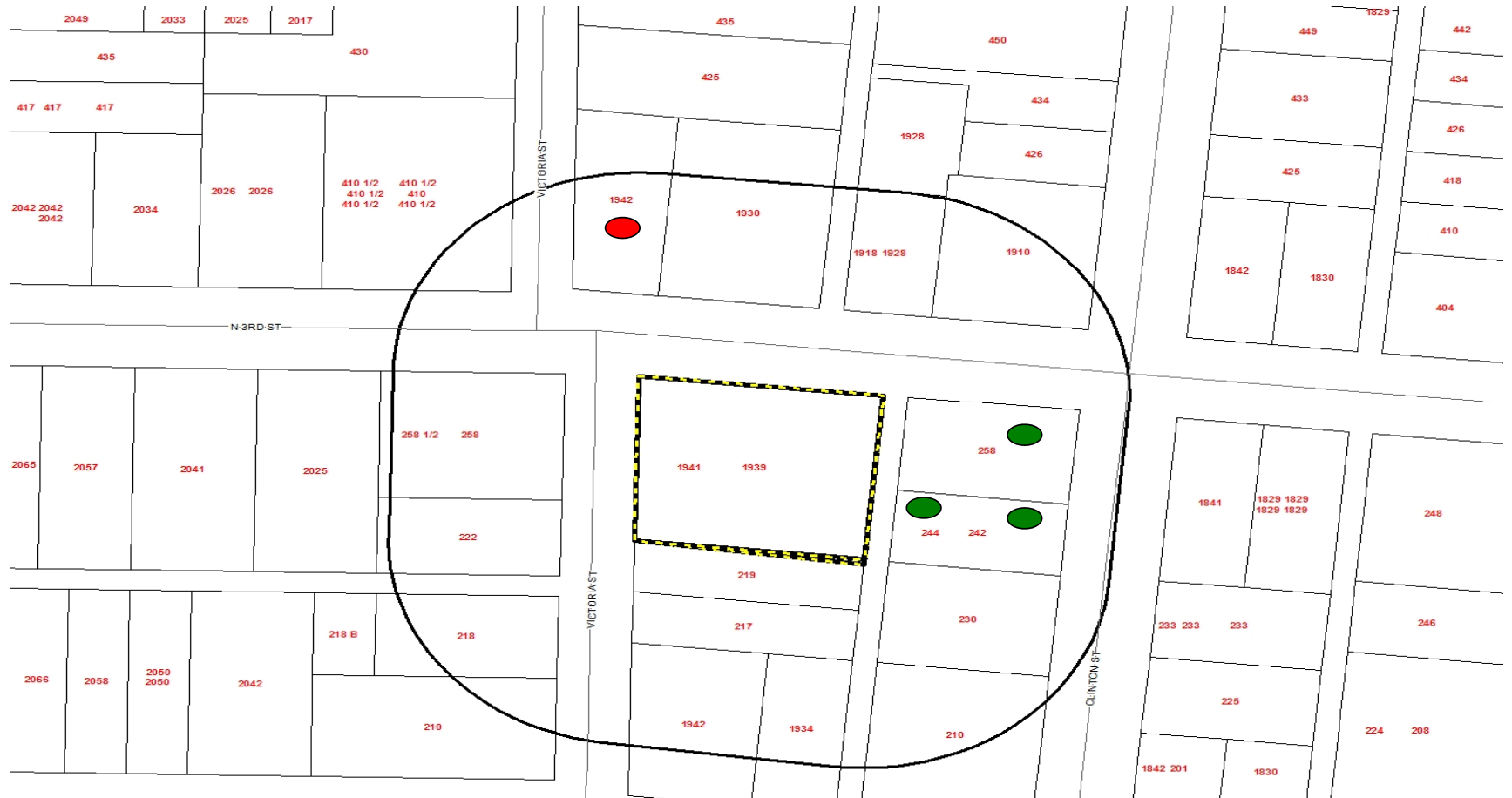


# Z-2016-47

3 in Favor-



1 Opposed-







**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Chris Taylor, Assistant Director of Transportation Services**

**SUBJECT: Resolution: CB #1700 - Award of Bid for the Purchase of Half Ton Trucks (*Chris Taylor*)**

---

**GENERAL INFORMATION**

The city conducted a bid (CB1700) for the purchase of 13 Half-Ton trucks of various configuration and for various City departments. In cooperation with Water, Public Works and Planning and Development Departments, four trucks in this bid have been removed and the existing trucks will remain in service with anticipated replacement for next year.

Lawrence Hall Chevrolet is the recommended bidder to purchase from due to the 5% Local Preference. Lawrence Hall's bid was \$215,745.40.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

This purchase is budgeted for in FY17.

**STAFF RECOMMENDATION**

Staff recommends this purchase.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description                     | Type              |
|---------------------------------|-------------------|
| ❑ CB1700 Resolution             | Resolution Letter |
| ❑ Bid Tab CB1700                | Backup Material   |
| ❑ CB1700 Additional Information | Cover Memo        |
| ❑ CB1700 Award Presentation     | Presentation      |

**RESOLUTION NO \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AWARDING BID TO  
LAWRENCE HALL CHEVROLET FOR NINE HALF-TON TRUCKS**

**WHEREAS**, the City of Abilene conducted a request for bids for thirteen half-ton trucks through CB-1700; and

**WHEREAS**, three bids were received; and

**WHEREAS**, nine of the trucks are determined needed at this time;

**WHEREAS**, Lawrence Hall Chevrolet's, a local business, bid is within 5% of the lowest competitive sealed bid price received by a non-local bidder; and

**WHEREAS**, the City Council finds that this local bidder offers the City the best combination of contract price and additional economic development opportunities for the City created by the contract award, including the employment of residents of the City and increased tax revenues to the City.

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

**PART 1:** That the City Council approves this award in the amount of \$215,745.40 to Lawrence Hall Chevrolet.

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

**ADOPTED this 15<sup>th</sup> Day of December, 2016**

**ATTEST:**

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norm Archibald, Mayor

**APPROVED:**

\_\_\_\_\_  
Stanley Smith, City Attorney

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

PAGE  
1 OF 1

**DEPARTMENT:** FLEET MANAGEMENT  
**BID NO.:** CB-1700  
**TIME OF OPENING:** 11:00 AM  
**DATE OF OPENING:** OCTOBER 4, 2016

CALDWELL COUNTRY  
CHEVROLET  
CALDWELL, TX

LAWRENCE HALL  
ABILENE, TX

ARROW FORD  
ABILENE, TX

LOVE FIELD CHRYSLER  
DODGE JEEP  
DALLAS, TX

RELIABLE CHEVROLET  
RICHARDSON, TX

| ITEM      | DESCRIPTION            | QTY | UNIT | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION   | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION           | UNIT PRICE | EXTENSION      | UNIT PRICE | EXTENSION |
|-----------|------------------------|-----|------|------------|------------|------------|-------------|------------|------------|------------|---------------------|------------|----------------|------------|-----------|
| 1.        | HALF-TON PICKUP TRUCKS |     |      |            | 210,571.00 |            | *215,745.40 |            | 222,613.00 |            | DOES NOT MEET SPECS |            | INCOMPLETE BID |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
|           |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
| BASE BID  |                        |     |      |            | 210,571.00 |            | *215,745.40 |            | 222,613.00 |            |                     |            |                |            |           |
| DISCOUNT  |                        |     |      |            |            |            |             |            |            |            |                     |            |                |            |           |
| TOTAL BID |                        |     |      |            | 210,571.00 |            | *215,745.40 |            | 222,613.00 |            |                     |            |                |            |           |

\*NOTES: INDICATES RECOMMENDED AWARD / 5% LOCAL VENDOR PREFERENCE



ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM  
1/2 TON PICKUP TRUCKS

| Unit # | Assignment              | Year | Make      | Model | Mileage | Hours | Lifetime<br>Maintenance \$ | PM<br>Maintenance \$ | Tire<br>Maintenance \$ | Disposal<br>Method | Replcement Reasoning  |
|--------|-------------------------|------|-----------|-------|---------|-------|----------------------------|----------------------|------------------------|--------------------|---|
| 3782   | Building<br>Inspection  | 07   | Ford      | F150  | 118,095 | --    | \$6,058.70                 | \$3,866.38           | \$928.73               | Auction            | Will meet age and mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3558   | Environmental<br>Health | 05   | Ford      | F150  | 102,043 | --    | \$7,240.23                 | \$3,951.18           | \$1,110.17             | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3521   | Environmental<br>Health | 05   | Ford      | F150  | 96,530  | --    | \$7,575.23                 | \$4,449.68           | \$1,093.75             | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3155   | Streets                 | 02   | Chevrolet | 1500  | 110,821 | --    | \$14,168.24                | \$5,700.38           | \$2,064.51             | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Substantial hail damage.  |
| 3159   | Water<br>Treatment      | 02   | Chevrolet | 1500  | 102,884 | --    | \$8,365.87                 | \$5,105.06           | \$2,535.27             | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.   |
| 3643   | Wastewater<br>Treatment | 06   | Chevrolet | 1500  | 113,708 | --    | \$10,782.56                | \$4,496.58           | \$2,740.45             | Auction            | Will meet mileage criteria by the time the replacement is delivered and in-service. Constantly having electrical issues; battery drains when parked overnight, weekend, etc., with no obvious powered-up accessories. |
| 3409   | Environmental<br>Health | 04   | Chevrolet | 1500  | 88,042  | --    | \$8,200.35                 | \$3,725.27           | \$1,569.56             | Auction            | Wrecked and totaled. Division is utilizing a unit that was being prepped for auction as we had nothing else for them to use.  |
| 3630   | Water<br>Distribution   | 06   | Chevrolet | 1500  | 107,548 | --    | \$11,910.98                | \$3,197.73           | \$3,235.83             | Auction            | Will meet age and mileage criteria by the time the replacement is delivered and in-service.   |
| 3684   | City Marshal            | 06   | Chevrolet | 1500  | 100,265 | --    | \$17,051.75                | \$4,538.57           | \$2,521.94             | Auction            | Will meet mileage criteria by the time the replacement is delivered and in-service. Substantial hail damage.  |

# **HALF-TON TRUCKS PURCHASE (CB-1700)**

December 15, 2016



| Unit # | Assignment           | Year | Make      | Model | Mileage | Hours | Maintenance \$ | Maintenance \$ | Maintenance \$ | Method  | Replcement Reasoning  |
|--------|----------------------|------|-----------|-------|---------|-------|----------------|----------------|----------------|---------|---|
| 3782   | Building Inspection  | 07   | Ford      | F150  | 118,095 | --    | \$6,058.70     | \$3,866.38     | \$928.73       | Auction | Will meet age and mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3558   | Environmental Health | 05   | Ford      | F150  | 102,043 | --    | \$7,240.23     | \$3,951.18     | \$1,110.17     | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3521   | Environmental Health | 05   | Ford      | F150  | 96,530  | --    | \$7,575.23     | \$4,449.68     | \$1,093.75     | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage.  |
| 3155   | Streets              | 02   | Chevrolet | 1500  | 110,821 | --    | \$14,168.24    | \$5,700.38     | \$2,064.51     | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Substantial hail damage.  |
| 3159   | Water Treatment      | 02   | Chevrolet | 1500  | 102,884 | --    | \$8,365.87     | \$5,105.06     | \$2,535.27     | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.   |
| 3643   | Wastewater Treatment | 06   | Chevrolet | 1500  | 113,708 | --    | \$10,782.56    | \$4,496.58     | \$2,740.45     | Auction | Will meet mileage criteria by the time the replacement is delivered and in-service. Constantly having electrical issues; battery drains when parked overnight, weekend, etc., with no obvious powered-up accessories. |
| 3409   | Environmental Health | 04   | Chevrolet | 1500  | 88,042  | --    | \$8,200.35     | \$3,725.27     | \$1,569.56     | Auction | Wrecked and totaled. Division is utilizing a unit that was being prepped for auction as we had nothing else for them to use.  |
| 3630   | Water Distribution   | 06   | Chevrolet | 1500  | 107,548 | --    | \$11,910.98    | \$3,197.73     | \$3,235.83     | Auction | Will meet age and mileage criteria by the time the replacement is delivered and in-service.   |
| 3684   | City Marshal         | 06   | Chevrolet | 1500  | 100,265 | --    | \$17,051.75    | \$4,538.57     | \$2,521.94     | Auction | Will meet mileage criteria by the time the replacement is delivered and in-service. Substantial hail damage.  |





- The bid review for the above referenced item has been performed by Fleet Management. It is Fleet’s recommendation to award to **Lawrence Hall Chevrolet** as follows:

- 

- Item 1:

|   |                  |
|---|------------------|
| • Six Regular Cab pickup trucks @ \$22,440 each | \$134,640.00     |
| • Spare wheel and tire @ \$30.80 each           | <u>\$ 184.80</u> |
| • Subtotal                                      | \$134,824.80     |

- Item 2:

|  |                 |
|--|-----------------|
| • Two Extended Cab pickup trucks @ \$24,990 each | \$ 49,980.00    |
| • Spare wheel and tire @ \$30.80 each            | <u>\$ 61.60</u> |
| • Subtotal                                       | \$ 50,041.60    |

- Item 3:

|                            |                  |
|----------------------------|------------------|
| • One 4-Door pickup truck  | \$ 30,285.00     |
| • Spare wheel and tire     | \$ 30.80         |
| • Power adjustable mirrors | <u>\$ 563.20</u> |
| • Subtotal                 | \$ 30,879.00     |

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- Total purchase to Lawrence Hall Chevrolet \$215,745.40

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- Award based on the 5% local preference as Caldwell Country Chevrolet was the outright low bidder.

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**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Chris Taylor, Assistant Director of Transportation Services**

**SUBJECT: Resolution: CB #1701 - Award of Bid to Lawrence Hall Chevrolet to Purchase Full-Size Sedans. *(Chris Taylor)***

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**GENERAL INFORMATION**

The city requested bids (CB-1701) from dealers to purchase seven full-size sedans. These sedans will replace vehicles currently used by Environmental Health (1) and the Police Department (6). The Environmental Health sedan replaces Unit 3692, which was totaled in July 2015. The city received an insurance settlement in the amount of \$3,991.12 for this vehicle. The six sedans for Police replace vehicles that currently meet the replacement policy or will by the time of the new sedans' delivery.

Four bidders responded to the bid and Lawrence Hall Chevrolet is the recommended bidder at \$145,845.00 as it falls within the 5% Local Preference over Caldwell Country Chevrolet.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

These are budgeted purchases for FY17.

Seven Full-Size Sedans @ \$20,835 each

|                                 |                     |
|---------------------------------|---------------------|
| No options to be purchased      | \$ 0.00             |
| Subtotal                        | \$145,845.00        |
| Total purchase to Lawrence Hall | <b>\$145,845.00</b> |

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description                            | Type              |
|--|-------------------|
| ▣ CB1701 Resolution                    | Resolution Letter |
| ▣ Bid Tab                              | Backup Material   |
| ▣ CB1701 Additional Information        | Cover Memo        |
| ▣ CB 1701 Sedans Purchase Presentation | Presentation      |



**RESOLUTION NO \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO  
LAWRENCE HALL CHEVROLET FOR SEVEN FULL SIZE SEDANS**

**WHEREAS**, the City of Abilene conducted a request for bids for seven full-size sedans through CB-1701; and

**WHEREAS**, there were four bids received; and

**WHEREAS**, Lawrence Hall Chevrolet's, a local business, bid is within 5% of the lowest competitive sealed bid price received by a non-local bidder; and

**WHEREAS**, the City Council finds that this local bidder offers the City the best combination of contract price and additional economic development opportunities for the City created by the contract award, including the employment of residents of the City and increased tax revenues to the City.

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

**PART 1:** That the City Council approves this award in the amount of \$145,845.00 to Lawrence Hall Chevrolet.

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

**ADOPTED this 15<sup>th</sup> Day of December, 2016**

**ATTEST:**

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norm Archibald, Mayor

**APPROVED:**

\_\_\_\_\_  
Stanley Smith, City Attorney

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

PAGE  
1 OF 1

**DEPARTMENT:** FLEET MANAGEMENT  
**BID NO.:** CB-1701  
**TIME OF OPENING:** 11:00 AM  
**DATE OF OPENING:** OCTOBER 4, 2016

CALDWELL COUNTRY  
CHEVROLET  
CALDWELL, TX

LAWRENCE HALL  
ABILENE, TX

ARROW FORD  
ABILENE, TX

RELIABLE CHEVROLET  
RICHARDSON, TX

| ITEM      | DESCRIPTION      | QTY | UNIT | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION   | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION      | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION |
|-----------|------------------|-----|------|------------|------------|------------|-------------|------------|------------|------------|----------------|------------|-----------|------------|-----------|
| 1.        | FULL-SIZE SEDANS | 7   | EA   | 20,585.00  | 144,095.00 | 20,835.00  | *145,845.00 | 21,581.00  | 151,067.00 |            | INCOMPLETE BID |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
|           |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
| BASE BID  |                  |     |      |            | 144,095.00 |            | *145,845.00 |            | 151,067.00 |            |                |            |           |            |           |
| DISCOUNT  |                  |     |      |            |            |            |             |            |            |            |                |            |           |            |           |
| TOTAL BID |                  |     |      |            | 144,095.00 |            | *145,845.00 |            | 151,067.00 |            |                |            |           |            |           |

\*NOTES: INDICATES RECOMMENDED AWARD / 5% LOCAL VENDOR PREFERENCE

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM  
FULL-SIZE SEDANS

| Unit # | Assignment           | Year | Make      | Model     | Mileage | Hours | Lifetime<br>Maintenance \$ | PM<br>Maintenance \$ | Tire<br>Maintenance \$ | Disposal<br>Method | Replcement Reasoning   |
|--------|----------------------|------|-----------|-----------|---------|-------|----------------------------|----------------------|------------------------|--------------------|--|
| 3692   | Environmental Health | 06   | Ford      | Taurus    | 59,746  | --    | \$4,877.17                 | \$2,351.69           | \$582.64               | Auction            | Wrecked and totaled in July 2015. Division has been using a motor pool sedan since that time.  |
| 2837   | Police CID           | 98   | Ford      | Crown Vic | 96,114  | 5,483 | \$10,825.25                | \$2,634.52           | \$950.56               | Auction            | Taken out of service, engine noise and high idle time. Transmission needs rebuilt. Hail damage and clearcoat peeling badly. Interior dilapidating.   |
| 3299   | Police CID           | 03   | Chevrolet | Impala    | 98,518  | --    | \$10,506.75                | \$2,363.17           | \$906.80               | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage repairs would exceed the value of the vehicle.                               |
| 3304   | Police CID           | 03   | Chevrolet | Impala    | 121,181 | --    | \$7,597.12                 | \$1,502.43           | \$781.61               | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.  |
| 4222   | Police CID           | 07   | Chevrolet | Blazer    | 98,098  | --    | \$4,582.57                 | \$1,372.73           | \$530.50               | Auction            | Purchased used to replace a wrecked unit. Will meet age and mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage repairs would exceed the value of the vehicle. |
| 3302   | Police Youth         | 03   | Chevrolet | Impala    | 97,356  | --    | \$13,217.98                | \$3,393.98           | \$738.90               | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Totaled in hail storm.   |
| 3303   | Police Youth         | 03   | Chevrolet | Impala    | 112,978 | --    | \$10,863.59                | \$3,501.41           | \$1,091.21             | Auction            | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.  |



# **FULL SIZE SEDANS PURCHASE**

December 15, 2016



- The bid review for the above referenced item has been performed by Fleet Management. It is Fleet's recommendation to award to **Lawrence Hall Chevrolet** as follows:

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|  |              |
|--|--------------|
| • Seven Full-Size Sedans @ \$20,835 each | \$145,845.00 |
|--|--------------|

|                              |                |
|------------------------------|----------------|
| • No options to be purchased | <u>\$ 0.00</u> |
|------------------------------|----------------|

|            |              |
|------------|--------------|
| • Subtotal | \$145,845.00 |
|------------|--------------|

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|                                   |              |
|-----------------------------------|--------------|
| • Total purchase to Lawrence Hall | \$145,845.00 |
|-----------------------------------|--------------|

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- Award based on the 5% local preference as Caldwell Country Chevrolet was the outright low bidder.



| Unit # | Assignment           | Year | Make      | Model     | Mileage | Hours | Maintenance \$ | Maintenance \$ | Maintenance \$ | Method  | Replcement Reasoning   |
|--------|----------------------|------|-----------|-----------|---------|-------|----------------|----------------|----------------|---------|--|
| 3692   | Environmental Health | 06   | Ford      | Taurus    | 59,746  | --    | \$4,877.17     | \$2,351.69     | \$582.64       | Auction | Wrecked and totaled in July 2015. Division has been using a motor pool sedan since that time.  |
| 2837   | Police CID           | 98   | Ford      | Crown Vic | 96,114  | 5,483 | \$10,825.25    | \$2,634.52     | \$950.56       | Auction | Taken out of service, engine noise and high idle time. Transmission needs rebuilt. Hail damage and clearcoat peeling badly. Interior dilapidating.   |
| 3299   | Police CID           | 03   | Chevrolet | Impala    | 98,518  | --    | \$10,506.75    | \$2,363.17     | \$906.80       | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage repairs would exceed the value of the vehicle.                               |
| 3304   | Police CID           | 03   | Chevrolet | Impala    | 121,181 | --    | \$7,597.12     | \$1,502.43     | \$781.61       | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.  |
| 4222   | Police CID           | 07   | Chevrolet | Blazer    | 98,098  | --    | \$4,582.57     | \$1,372.73     | \$530.50       | Auction | Purchased used to replace a wrecked unit. Will meet age and mileage criteria by the time the replacement is delivered and in-service. Extensive hail damage repairs would exceed the value of the vehicle. |
| 3302   | Police Youth         | 03   | Chevrolet | Impala    | 97,356  | --    | \$13,217.98    | \$3,393.98     | \$738.90       | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service. Totaled in hail storm.   |
| 3303   | Police Youth         | 03   | Chevrolet | Impala    | 112,978 | --    | \$10,863.59    | \$3,501.41     | \$1,091.21     | Auction | Meets age criteria. Will meet mileage criteria by the time the replacement is delivered and in-service.  |







**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Chris Taylor, Assistant Director of Transportation Services**

**SUBJECT: Resolution: CB #1703 - Award of Bid to Purchase Fire and Police Patrol SUVs (*Chris Taylor*)**

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**GENERAL INFORMATION**

The city conducted a bid (CB-1703) to replace one Fire Department sedan and seven Police Department patrol sedans and SUVs, including one four wheel drive SUV. Three dealerships submitted bids. Freedom Chevrolet is recommended for award of the seven two wheel drive units at a cost of \$228,011.00. Lawrence Hall will be awarded bid for one four wheel drive unit at a cost of \$36,180.00, but is not included for Council consideration since it falls below \$50,000.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

These are budgeted replacements for FY17.

**STAFF RECOMMENDATION**

Staff recommends awarding purchases to Freedom Chevrolet and Lawrence Hall Chevrolet.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description                           | Type              |
|---------------------------------------|-------------------|
| ❑ CB1703 Freedom Chevrolet Resolution | Resolution Letter |
| ❑ CB1703 Bid Tabulation               | Backup Material   |
| ❑ CB1703 Additional Information       | Cover Memo        |
| ❑ CB1703 Presentation                 | Cover Memo        |

RESOLUTION NO \_\_\_\_\_

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO  
FREEDOM CHEVROLET FOR SEVEN TWO-WHEEL DRIVE SPORT UTILITY VEHICLES**

**WHEREAS**, the City of Abilene conducted a bid for seven two-wheel drive SUVs through CB-1703; and

**WHEREAS**, three bids were received; and

**WHEREAS**, Freedom Chevrolet had the absolute lowest responsible bid.

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

**PART 1:** That the city Council approves this award in the amount of \$228,011.00.

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

**ADOPTED this 15<sup>th</sup> Day of December, 2016**

**ATTEST:**

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norm Archibald, Mayor

**APPROVED:**

\_\_\_\_\_  
Stanley Smith, City Attorney

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

PAGE  
1 OF 1

**DEPARTMENT:** FLEET MANAGEMENT  
**BID NO.:** CB-1703  
**TIME OF OPENING:** 11:00 A.M.  
**DATE OF OPENING:** NOVEMBER 1, 2016

FREEDOM CHEVROLET  
DALLAS, TX

CALDWELL COUNTRY  
CHEVROLET  
CALDWELL, TX

LAWRENCE HALL  
ABILENE, TX

| ITEM      | DESCRIPTION             | QTY | UNIT | UNIT PRICE | EXTENSION   | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION   | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION |
|-----------|-------------------------|-----|------|------------|-------------|------------|------------|------------|-------------|------------|-----------|------------|-----------|------------|-----------|
| 1.        | POLICE PATROL SUVS      | 7   | EA   |            | *228,011.00 |            | 233,380.00 |            | 246,645.00  |            |           |            |           |            |           |
| 2.        | POLICE PATROL SUV – 4WD | 1   | EA   |            | 35,315.00   |            | 34,920.00  |            | **36,180.00 |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
|           |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
| BASE BID  |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
| DISCOUNT  |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |
| TOTAL BID |                         |     |      |            |             |            |            |            |             |            |           |            |           |            |           |

NOTES: \*INDICATES RECOMMENDED AWARD / \*\* INDICATES RECOMMENDED AWARD WITH 5% LOCAL PREFERENCE



ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM  
POLICE PATROL SUVS

| Unit # | Assignment  | Year | Make      | Model     | Mileage | Hours  | Lifetime<br>Maintenance \$ | PM<br>Maintenance \$ | Tire<br>Maintenance \$ | Disposal<br>Method | Replacement Reasoning   |
|--------|-------------|------|-----------|-----------|---------|--------|----------------------------|----------------------|------------------------|--------------------|---|
| 3709   | Fire Dept   | 06   | Ford      | Crown Vic | 40,152  | 251    | \$5,748.75                 | \$656.58             | \$854.14               | Auction            | Unit has been sold. It needed a transmission job and was badly beaten in the 2014 hailstorm, repair work for the transmission and the hail would have exceeded the value of the vehicle. Unit sold for \$917.00 at auction.   |
| 3917   | Police Dept | 08   | Chevrolet | Tahoe     | 112,800 | 13,897 | \$17,555.24                | \$3,337.03           | \$1,604.50             | Auction            | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage all over body.  |
| 4024   | Police Dept | 09   | Chevrolet | Tahoe     | 109,596 | 10,733 | \$13,771.05                | \$3,207.62           | \$1,955.28             | Auction            | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Engine has issues that increase in the hot summer months (runs rough and often dies at intersections). |
| 4149   | Police Dept | 10   | Ford      | Crown Vic | 79,803  | 4,074  | \$5,928.73                 | \$1,012.16           | \$1,141.79             | Auction            | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery barring any major expensive problems that would force an earlier out of service date.   |
| 4241   | Police Dept | 11   | Ford      | Crown Vic | 79,830  | 5,618  | \$6,814.22                 | \$688.97             | \$1,178.23             | Auction            | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage.   |
| 4242   | Police Dept | 11   | Ford      | Crown Vic | 85,293  | 6,321  | \$7,608.41                 | \$714.62             | \$2,508.49             | Auction            | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery barring any major expensive problems that would force an earlier out of service date.   |
| 4243   | Police Dept | 11   | Ford      | Crown Vic | 78,740  | 5,339  | \$7,929.88                 | \$782.27             | \$1,132.59             | Auction            | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery barring any major expensive problems that would force an earlier out of service date.   |

|      |             |    |           |       |        |        |            |          |            |         |  |
|------|-------------|----|-----------|-------|--------|--------|------------|----------|------------|---------|--|
| 4313 | Police Dept | 12 | Chevrolet | Tahoe | 93,313 | 11,264 | \$9,337.01 | \$915.78 | \$2,918.11 | Auction | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage. |
|------|-------------|----|-----------|-------|--------|--------|------------|----------|------------|---------|--|

# **FULL SIZE SEDANS PURCHASE**

December 15, 2016





- The bid review for the above referenced item has been performed by Fleet Management. It is Fleet's recommendation to award as follows:

- 

- To Freedom Chevrolet:

|                                       |                |
|---------------------------------------|----------------|
| • Seven Police Patrol 2WD SUVs        | \$228,011.00   |
| • No options to be purchased          | <u>\$ 0.00</u> |
| • Total purchase to Freedom Chevrolet | \$228,011.00   |

- 

- To Lawrence Hall Chevrolet:

|                                   |               |
|-----------------------------------|---------------|
| • One Police Patrol 4WD SUVs      | \$ 36,180.00  |
| • No options to be purchased      | <u>\$ .00</u> |
| • Total purchase to Lawrence Hall | \$ 36,180.00  |

- 

- 

- Freedom Chevrolet was the out-right low bidder on the 2WD Tahoes. Lawrence Hall Chevrolet was within the 5% local preference amount for the 4WD Tahoe.



| Unit # | Assignment  | Year | Make      | Model     | Mileage | Hours  | Maintenance \$ | Maintenance \$ | Maintenance \$ | Method  | Replacement Reasoning   |
|--------|-------------|------|-----------|-----------|---------|--------|----------------|----------------|----------------|---------|---|
| 3709   | Fire Dept   | 06   | Ford      | Crown Vic | 40,152  | 251    | \$5,748.75     | \$656.58       | \$854.14       | Auction | Unit has been sold. It needed a transmission job and was badly beaten in the 2014 hailstorm, repair work for the transmission and the hail would have exceeded the value of the vehicle. Unit sold for \$917.00 at auction.   |
| 3917   | Police Dept | 08   | Chevrolet | Tahoe     | 112,800 | 13,897 | \$17,555.24    | \$3,337.03     | \$1,604.50     | Auction | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage all over body.  |
| 4024   | Police Dept | 09   | Chevrolet | Tahoe     | 109,596 | 10,733 | \$13,771.05    | \$3,207.62     | \$1,955.28     | Auction | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Engine has issues that increase in the hot summer months (runs rough and often dies at intersections). |
| 4149   | Police Dept | 10   | Ford      | Crown Vic | 79,803  | 4,074  | \$5,928.73     | \$1,012.16     | \$1,141.79     | Auction | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date.   |
| 4241   | Police Dept | 11   | Ford      | Crown Vic | 79,830  | 5,618  | \$6,814.22     | \$688.97       | \$1,178.23     | Auction | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage.   |
| 4242   | Police Dept | 11   | Ford      | Crown Vic | 85,293  | 6,321  | \$7,608.41     | \$714.62       | \$2,508.49     | Auction | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date.   |
| 4243   | Police Dept | 11   | Ford      | Crown Vic | 78,740  | 5,339  | \$7,929.88     | \$782.27       | \$1,132.59     | Auction | Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date.   |
| 4313   | Police Dept | 12   | Chevrolet | Tahoe     | 93,313  | 11,264 | \$9,337.01     | \$915.78       | \$2,918.11     | Auction | High engine hours. Unit will need to be replaced between the time this year's order arrives but prior to the following year's order delivery - barring any major expensive problems that would force an earlier out of service date. Unit has significant hail damage.  |





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Michael Rice, Director of Public Works**

**SUBJECT: Resolution: CB #1707 - Award of Bid for the Annual purchase of 95 Gallon Containers for Solid Waste Department. (*Michael Rice*)**

---

**GENERAL INFORMATION**

To replenish container inventory to support new housing starts and to offset loss due to wear, damage, and theft. The bid is for truckload quantities of 1,300 solid waste 95 gallon poly containers used in conjunction with automated, side loading, trash collection vehicles. These containers are primarily used for residential trash collection service.

**SPECIAL CONSIDERATIONS**

Otto Environmental Systems' bid did not meet spec (minimum wall thickness.) Staff investigated the Cross Link specification and found the cost to be approximately 4 times as much as the current specification for 95 gallon containers. Staff does not recommend the Cross Link specification for 95 gallon containers at this time based upon cost.

**FUNDING/FISCAL IMPACT**

Recommended funding source is from the Solid Waste Services operating budget.

**STAFF RECOMMENDATION**

Staff recommends award of the purchase of 1,300 Solid Waste 95 gallon containers to Cascade Engineering in the total amount of \$60,099.00.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description         | Type              |
|---------------------|-------------------|
| ❑ Resolution        | Resolution Letter |
| ❑ BidTab&Spec Sheet | Backup Material   |
| ❑ Presentation      | Presentation      |



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AWARDING BID TO CASCADE ENGINEERING, GRAND RAPIDS, MICHIGAN**

**WHEREAS**, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the purchase of 1,300 Solid Waste 95 Gallon refuse containers and

**WHEREAS**, the these Solid Waste containers will be used to provide refuse service to the citizens of Abilene and

**WHEREAS**, the following bids were received and opened on the November 16, 2016:

|   |             |
|---|-------------|
| Cascade Engineering, Grand Rapids, MI     | \$60,099.00 |
| Otto Environmental Systems, Charlotte, NC | \$60,931.00 |
| Toter, Statesville, NC                    | \$67,002.00 |
| Rehrig Pacific Company, Dallas, TX        | \$67,418.00 |

**WHEREAS**, Cascade Engineering submitted the low bid in the amount of \$60,099.00 with the bid meeting specifications. Staff recommends awarding the bid to the low bidder, Cascade Engineering.

**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 \$60,099.00.

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

**ADOPTED** this 15<sup>th</sup> day of December, 2016.

ATTEST:

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norm Archibald, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney

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

PAGE  
1 OF 1

**DEPARTMENT:** SOLID WASTE SERVICES  
**BID NO.:** CB-1707  
**TIME OF OPENING:** 11:00 A.M.  
**DATE OF OPENING:** NOVEMBER 16, 2016

CASCADE ENGINEERING  
GRAND RAPIDS, MI

TOTER  
STATESVILLE, NC

REHRIG PACIFIC COMPANY  
DALLAS, TX

OTTO ENVIRONMENTAL  
SYSTEMS

| ITEM      | DESCRIPTION                     | QTY   | UNIT | UNIT PRICE | EXTENSION  | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION           | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION |
|-----------|---------------------------------|-------|------|------------|------------|------------|-----------|------------|-----------|------------|---------------------|------------|-----------|------------|-----------|
| 1.        | 95-GALLON FULLY AUTOMATED CARTS | 1,300 | EA   | 46.23      | *60,099.00 | 51.54      | 67,002.00 | 51.86      | 67,418.00 |            | DOES NOT MEET SPECS |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
|           |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
| BASE BID  |                                 |       |      |            | *60,099.00 |            | 67,002.00 |            | 67,418.00 |            |                     |            |           |            |           |
| DISCOUNT  |                                 |       |      |            |            |            |           |            |           |            |                     |            |           |            |           |
| TOTAL BID |                                 |       |      |            | *60,099.00 |            | 67,002.00 |            | 67,418.00 |            |                     |            |           |            |           |

\*NOTES: INDICATES RECOMMENDED AWARD

# FULLY AUTOMATED 95 GALLON CARTS

## SPECIFICATION SHEET

Please be specific when listing information in exceptions column

|     |  | MEETS | EXCEPTIONS |
|-----|--|-------|------------|
| 1.  | Must meet current ANSI Standards-2245.30 and 2245.60   |       |            |
| 2.  | Minimum 95 gal excluding the lid   |       |            |
| 3.  | All material must be rotational or injection molded, hot melt compounded MDPE or HDPE.   |       |            |
| 4.  | Capable of holding 330 pounds  |       |            |
| 5.  | Smooth interior as to allow free flow of contents.   |       |            |
| 6.  | Minimum wall thickness .170 inches   |       |            |
| 7.  | Molded-on wear strips on the bottom of the cart, add-on wear pads not acceptable   |       |            |
| 8.  | Convex shaped lid designed to facilitate run-off of water.   |       |            |
| 9.  | Molded-in lid handles, no bolt-on  |       |            |
| 10. | Molded-on lid hinges   |       |            |
| 11. | Lid must open 270 degrees  |       |            |
| 12. | Cart must remain upright when lid is open  |       |            |
| 13. | Axles-5/8" solid high strength steel   |       |            |
| 14. | Wheels-10" diameter, rated at 200 pounds each, no plastic keeper type or plastic wheel clips   |       |            |
| 15. | Cart, when empty, shall not be blown over in winds from any direction up to a 40-mph wind.   |       |            |
| 16. | Cart must be recyclable at the end of its useful life  |       |            |
| 17. | Color- dark green, ultraviolet stabilized, non-fading.   |       |            |
| 18. | Minimum 10 year non-prorated warranty  |       |            |
| 19. | Serial number must include the year and month of manufacture or code traceable to that date.   |       |            |
| 20. | Serial number must be sequential and start with 00001.   |       |            |
| 21. | Molded-in lid markings: "City of Abilene; face arrows toward street with 2 arrows; No: hot ashes, dirt, paint, oil or chemicals"; "Place 3 feet from all objects". |       |            |
| 22. | Hot stamped 1 ): "white lettering on sides of cart: Left side: "Property of City of Abilene" Right side: " Keep Abilene Beautiful"                                 |       |            |
| 23. | Bidder must supply specification sheets with bid.  |       |            |
| 24. | Bidder must supply three (3) municipal references of like containers in service for a minimum of three (3) years.  |       |            |
| 25. | Deliveries to be in truck load quantities: state number of carts per truck load.   |       |            |



# Bid No. CB-1707

- City of Abilene advertised bids for 1,300 Solid Waste 95 Gallon containers on Oct. 30 and Nov. 6
- Bids were received on Nov. 16<sup>th</sup> with 4 bids received
- Low Bid meeting specifications was received from Cascade Engineering in the total amount of \$60,099.00
- Staff recommends award of the bid to Cascade Engineering





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Michael Rice, Director of Public Works**

**SUBJECT: Resolution: CB #1708 - Award of Bid for the purchase of 300 Gallon containers for the Solid Waste Department. *(Michael Rice)***

---

**GENERAL INFORMATION**

To replenish container inventory to support new housing starts and to offset loss due to wear, damage, and theft. The bid is for truckload quantities (600) of 300 gallon solid waste poly containers used in conjunction with automated, side loading, trash collection vehicles. These containers are primarily used for residential trash collection service.

**SPECIAL CONSIDERATIONS**

None

**FUNDING/FISCAL IMPACT**

Recommended funding source is the Solid Waste Services Division enterprise fund budget.

**STAFF RECOMMENDATION**

Staff recommends award of bid to the low bidder, Rotational Molding Inc. in the amount of \$154,980.00.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description            | Type              |
|------------------------|-------------------|
| ❑ Resolution           | Resolution Letter |
| ❑ bid tab & spec sheet | Cover Memo        |
| ❑ Presentation         | Presentation      |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AWARDING BID TO ROTATIONAL MONDLING INC., GARDENA, CALIFORNIA**

**WHEREAS**, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the purchase of 600 Solid Waste 300 Gallon refuse containers and

**WHEREAS**, the these Solid Waste containers will be used to provide refuse service to the citizens of Abilene and

**WHEREAS**, the following bids were received and opened on the November 16, 2016:

|                                      |              |
|--------------------------------------|--------------|
| Rotational Molding Inc., Gardena, CA | \$154,980.00 |
| Snyder Industries Inc., Lincoln, NE  | \$166,800.00 |
| Michael Brothers Inc., Prescott, AZ  | \$167,700.00 |

**WHEREAS**, Rotational Molding Inc. submitted the low bid in the amount of \$154,980.00 with the bid meeting specifications. Staff recommends awarding the bid to the low bidder, Rotational Molding Inc.

**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 \$154,980.00.

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

**ADOPTED** this 15<sup>th</sup> day of December, 2016.

ATTEST:

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norm Archibald, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney



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

PAGE 1  
1 OF 1

| DEPARTMENT: SOLID WASTE SERVICES<br>BID NO.: CB-1708<br>TIME OF OPENING: 11:00 A.M.<br>DATE OF OPENING: NOVEMBER 16, 2016 |  |     |      | ROTATIONAL HOLDING<br>INC.<br>GARDENA, CA |             | SNYDER INDUSTRIES, INC.<br>LINCOLN, NE |            | MICHAEL BROTHERS INC.<br>PRESCOTT, AZ |            |            |           |            |           |            |           |
|---|--|-----|------|---|-------------|--|------------|---------------------------------------|------------|------------|-----------|------------|-----------|------------|-----------|
| ITEM  | DESCRIPTION                              | QTY | UNIT | UNIT PRICE                                | EXTENSION   | UNIT PRICE                             | EXTENSION  | UNIT PRICE                            | EXTENSION  | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION |
| 1.  | 300-GALLON FULLY AUTOMATED<br>CONTAINERS | 600 | EA   | 259.30                                    | *154,980.00 | 278.00                                 | 166,800.00 | 279.50                                | 167,700.00 |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   |  |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   | BASE BID                                 |     |      |   | *154,980.00 |  | 166,800.00 |                                       | 167,700.00 |            |           |            |           |            |           |
|   | DISCOUNT                                 |     |      |   |             |  |            |                                       |            |            |           |            |           |            |           |
|   | TOTAL BID                                |     |      |   | *154,980.00 |  | 166,800.00 |                                       | 167,700.00 |            |           |            |           |            |           |

•NOTES: INDICATES RECOMMENDED AWARD

# FULLY AUTOMATED 300 GALLON CONTAINER SPECIFICATION

Specification Sheet  
Be specific when listing information in exception column

| Specification  | Meets | Exceptions |
|--|-------|------------|
| 1. Minimum 300 gallons excluding lid.  |       |            |
| 2. "City of Abilene" hot stamped on side of container.   |       |            |
| 3. Material - High density cross link resins, seamless construction, uniform wall thickness                      |       |            |
| 4. Container .250 inch thickness. Maximum  |       |            |
| 5. Container .125 inch thickness. Minimum  |       |            |
| 6. Lid and container must be made from the same material.  |       |            |
| 7. Lid opening-1/3 fixed, 2/3 hinged with a split type lid on the hinged portion, no hatch.                      |       |            |
| 8. Color - Black   |       |            |
| 9. Minimum five (5) year warranty.   |       |            |
| 10. Serial number must include the year and month of manufacture or a code traceable to the date of manufacture. |       |            |
| 11. Molded in lid markings - "No: Hot ashes, dirt, paint, oil, or chemicals"; "Do Not Move".                     |       |            |
| 12. All material must be hot melt compounded. No Off - spec material. No dry blended                             |       |            |
| 13. Smooth interior to allow free flow of contents.  |       |            |
| 14. Tapered walls so that the top is slightly larger than the bottom inside.                                     |       |            |
| 15. Molded - in nesting stops on both sides of container.  |       |            |
| 16. Quantity will be approximately 600 containers. Bid price must be valid for one year from date of award.      |       |            |
| 17. All orders must be FOB Abilene, Texas.   |       |            |
| 18. To be ordered on an "as needed basis".   |       |            |
| 19. Orders will be placed in truck load quantities. State number of carts per                                    |       |            |
| 20. Supply Warranty Information.   |       |            |

# Bid No. CB-1708

- City of Abilene advertised bids for 600 Solid Waste 300 Gallon containers on Oct. 30 and Nov. 6
- Bids were received on Nov. 16<sup>th</sup> with 3 bids received
- Low Bid meeting specifications was received from Rotational Molding, Inc. in the total amount of \$154,980.00
- Staff recommends award of the bid to Rotational Molding, Inc.





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Mike Rains, Director of Finance**

**SUBJECT: Resolution: Approving Financing by One or More Education Facilities Corporation for the Benefit of Hardin-Simmons University. (Mike Rains)**

---

**GENERAL INFORMATION**

The City of Abilene, Texas (the “City”) has been informed that one or more education facilities corporation (the “Corporation”) created pursuant to Chapters 53A and 53 of the Texas Education Code (“State Law”) will issue bonds, loans and/or other obligations (the “Obligations”) in the maximum aggregate principal amount of \$25,000,000, whereby the proceeds of the Obligations will be loaned to Hardin-Simmons University (the “Borrower”) for the purpose of financing and refinancing the Project (the “Financing”).

The Corporation is authorized by State Law to provide the Financing for educational and housing facilities by contractual arrangement, and the Obligations issued to the Corporation constitute contractual arrangements in which the Corporation is authorized by State Law to participate in.

The Obligations are being issued pursuant to a plan of finance for the purpose of (a) financing the costs of the construction of a new apartment complex, a new wellness center, renovations to residence halls and upgrades to mechanical systems located on the University’s campus at 2200 Hickory Street, Abilene, Texas 79601 (the “Campus”), (ii) refinancing the cost of acquiring, constructing, renovating, remodeling and equipping education and housing facilities, and facilities incidental, subordinate, or related thereto or appropriate in connection therewith, including (1) the bathrooms at the following residence halls: Nix, Behrens, Lange, Ferguson and Anderson; (2) the following athletic facilities: intramural field, soccer field and tennis courts; (3) improvements to the 2nd floor of Hunter Hall, the basement of Moody Center, Van Ellis Theatre and parking (4) heating, ventilating, and air conditioning (HVAC) improvements including the Johnson Building, the Logsdon Building and Moody Center; (5) renovating and waterproofing, including repairing roofs and drains to, Ferguson Hall, Nix Hall, the Logsdon Building and the Van Ellis Theatre and (6) other improvements including sidewalks, ramps, grounds and lighting; all located on the Campus; and (iii) paying a portion of the costs of issuance of the Obligations (the “Project”).

The Borrower has agreed to make payments in amounts sufficient to pay the payments required to be made under the Obligations (the “Payments”).

Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice.

The publication of the Notice of Public Hearing (the “Public Notice”) is evidenced by a Publisher’s Affidavit (a



copy of which is attached hereto as Exhibit A).

Attached hereto as Exhibit B is Certificate of Public Hearing regarding the conduct of the Public Hearing.

### **SPECIAL CONSIDERATIONS**

### **FUNDING/FISCAL IMPACT**

The City shall have no liabilities for the payments nor shall any of the City's assets be pledged to secure the payments.

### **STAFF RECOMMENDATION**

Staff recommends the approval of the financing and the project solely for the purpose of satisfying the requirements of section 147(f) of the Code; provided that the City shall have no liabilities for the payments nor shall any of the City's assets be pledged to secure the payments.

### **BOARD OR COMMISSION RECOMMENDATION**

### **ATTACHMENTS:**

| Description                                | Type              |
|--|-------------------|
| ▣ Resolution Approving Financing for HSU   | Resolution Letter |
| ▣ Powerpoint - Approving Financing for HSU | Presentation      |

**CERTIFICATE FOR RESOLUTION**

**THE STATE OF TEXAS                   §**  
**COUNTY OF TAYLOR                   §**  
**CITY OF ABILENE                   §**

We, the undersigned officers of the City of Abilene, Texas (the “City”), hereby certify as follows:

1. The City Council of said City convened in regular meeting on December 15, 2016 (the “Meeting”), at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

|                  |               |
|------------------|---------------|
| Norm Archibald   | Mayor         |
| Shane Price      | Councilmember |
| Bruce Kreitler   | Councilmember |
| Anthony Williams | Councilmember |
| Jay Hardaway     | Councilmember |
| Kyle McAlister   | Councilmember |
| Steve Savage     | Councilmember |

and all of said persons were present, except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

**RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING  
FINANCING BY ONE OR MORE EDUCATION FACILITIES CORPORATION  
FOR THE BENEFIT OF HARDIN-SIMMONS UNIVERSITY AND RELATED  
MATTERS.**

(the “Resolution”) was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: All members of the City Council shown present above voted “Aye,” except  
as provided below:

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED December 15, 2016.

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City Secretary

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Mayor

(SEAL)

**RESOLUTION #\_\_\_-2016**

**RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING FINANCING BY  
ONE OR MORE EDUCATION FACILITIES CORPORATION FOR THE BENEFIT OF  
HARDIN-SIMMONS UNIVERSITY AND RELATED MATTERS.**

**THE STATE OF TEXAS                   §  
COUNTY OF TAYLOR                 §  
CITY OF ABILENE                   §**

WHEREAS, the City of Abilene, Texas (the “City”) has been informed that one or more education facilities corporation (the “Corporation”) created pursuant to Chapters 53A and 53 of the Texas Education Code (“State Law”) will issue bonds, loans and/or other obligations (the “Obligations”) in the maximum aggregate principal amount of \$25,000,000, whereby the proceeds of the Obligations will be loaned to Hardin-Simmons University (the “Borrower”) for the purpose of financing and refinancing the Project (the “Financing”);

WHEREAS, the Corporation is authorized by State Law to provide the Financing for educational and housing facilities by contractual arrangement, and the Obligations issued to the Corporation constitute contractual arrangements in which the Corporation is authorized by State Law to participate in;

WHEREAS, the Obligations are being issued pursuant to a plan of finance for the purpose of (a) financing the costs of the construction of a new apartment complex, a new wellness center, renovations to residence halls and upgrades to mechanical systems located on the University’s campus at 2200 Hickory Street, Abilene, Texas 79601 (the “Campus”), (ii) refinancing the cost of acquiring, constructing, renovating, remodeling and equipping education and housing facilities, and facilities incidental, subordinate, or related thereto or appropriate in connection therewith, including (1) the bathrooms at the following residence halls: Nix, Behrens, Lange, Ferguson and Anderson; (2) the following athletic facilities: intramural field, soccer field and tennis courts; (3) improvements to the 2nd floor of Hunter Hall, the basement of Moody Center, Van Ellis Theatre and parking (4) heating, ventilating, and air conditioning (HVAC) improvements including the Johnson Building, the Logsdon Building and Moody Center; (5) renovating and waterproofing, including repairing roofs and drains to, Ferguson Hall, Nix Hall, the Logsdon Building and the Van Ellis Theatre and (6) other improvements including sidewalks, ramps, grounds and lighting; all located on the Campus; and (iii) paying a portion of the costs of issuance of the Obligations (the “Project”).

WHEREAS, the Borrower has agreed to make payments in amounts sufficient to pay the payments required to be made under the Obligations (the “Payments”);

WHEREAS, section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice;

WHEREAS, the publication of the Notice of Public Hearing (the “Public Notice”) is evidenced by a Publisher's Affidavit (a copy of which is attached hereto as Exhibit A);

WHEREAS, attached hereto as Exhibit B is Certificate of Public Hearing regarding the conduct of the Public Hearing;



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

**Section 1.** The City hereby approves the Financing and the Project solely for the purpose of satisfying the requirements of section 147(f) of the Code; provided that the City shall have no liabilities for the Payments nor shall any of the City's assets be pledged to secure the Payments.

**Section 2.** This Resolution shall become effective immediately upon its passage.

ADOPTED AND APPROVED on December 15, 2016.

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

(City Seal)

APPROVED:

\_\_\_\_\_  
City Attorney

**EXHIBIT A**

**PUBLISHER'S AFFIDAVIT**

# Abilene Reporter-News

PUTTING YOUR WORLD IN YOUR HANDS.

STATE OF TEXAS  
COUNTY OF GENERAL CIRCULATION IN:  
TAYLOR COUNTY

AD1369855


DATE 11.22.2016

Before me, the undersigned authority, on this day personally appeared **Brittany Hawkins** representing the Abilene Reporter-News being by me duly sworn deposes and says that the following notice(s) published in said newspaper by:

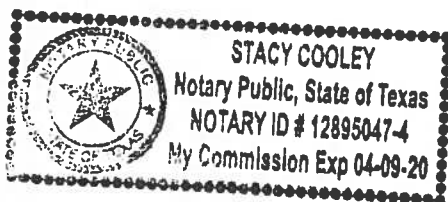
ORRICK, HERRINGTON & SUTCLIFFE LLP


On the following

TUESDAY, NOVEMBER 22, 2016

  
Brittany Hawkins  
LEGAL NOTICE CLERK

Subscribed and sworn before me this 22 day of November, 2016 to certify which witness my hand and seal of office.



  
NOTARY PUBLIC

My Commission Expires: April 09, 2020

**Abilene Reporter-News**

101 Cypress Street • Abilene, Texas 79601  
www.reporternews.com



**NOTICE OF PUBLIC HEARING**

That a public hearing will be held on December 8, 2016, commencing at 10:00 a.m., at the Johnson Building, Room 209 of Hardin-Simmons University, 1200 Hickory Street, Abilene, Texas 79601, to provide an opportunity for all interested persons to be heard with respect to proposed loans from First Bank (the "Bank") to one or more education facilities corporation (the "Corporation") in the maximum aggregate amount of \$25,000,000, and proposed loans from the Corporation to Hardin-Simmons University (the "University") in the same amount (collectively, the "Loans"). All persons to one or more such agreements by and among the Corporation, the Bank and the Borrowers.

The Loans are being made pursuant to a plan of finance for the purpose of (i) finance the costs of the construction of a new apartment complex, a new residence center, renovations to residence halls and upgraded to mechanical systems located on the University's campus at 1200 Hickory Street, Abilene, Texas 79601 (the "Campus") and (ii) refinance the cost of acquiring, constructing, renovating, remodeling and equipping education and housing facilities, and facilities incidental, subordinate, or related thereto or appurtenant in connection therewith, including (1) the refinancing of the following residence halls, Nix, Bennett, Lange, Ferguson and Anderson; (2) the following athletic facilities, intramural field, soccer field and tennis courts; (3) improvements to the 2nd floor of Hester Hall, the basement of Moody Center, Van Ellis Theatre and parking (4) heating, ventilating, and air conditioning (HVAC) improvements including the Johnson Building, the Logsdon Building and Moody Center; (5) renovating and waterproofing, including repairing roofs and drains in, Ferguson Hall, Nix Hall, the Logsdon Building and the Van Ellis Theatre and (6) other improvements including sidewalks, ramps, grounds and lighting, all located on the Campus (the "Project"). A portion of the proceeds of the Loans will be used to pay certain expenses in connection with the issuance of the Loans. The Project is, or will be owned or operated by the Borrowers. The Loans are not payable out of taxes and are secured by and payable solely from funds provided by the Borrowers.

All interested persons are invited to attend the hearing to express their views, orally and in writing, with respect to the Loans and the Project. Any interested persons unable to attend the hearing may submit their views in writing to the President of the Board of Directors of the Corporation c/o Crook, Merrington & Hutchins LLP, 1101 Main Street, Suite 1100, Houston, Texas 77002, prior to the date scheduled for the hearing.

**EXHIBIT B**

**CERTIFICATE OF PUBLIC HEARING**

## CERTIFICATE OF PUBLIC HEARING

I, the undersigned, hereby certify in connection with a series of loan transactions to be entered into by to one or more education facilities corporation (the "*Corporation*"), Hardin-Simmons University ("*Borrower*") and Frost Bank in the maximum amount of \$25,000,000 (the "*Loans*") for the benefit of Borrower, as follows:

1. I served as Hearing Officer for the Corporation for the purpose of (i) financing the costs of the construction of a new apartment complex, a new wellness center, renovations to residence halls and upgrades to mechanical systems located on the University's campus at 2200 Hickory Street, Abilene, Texas 79601 (the "Campus") and (ii) refinancing the cost of acquiring, constructing, renovating, remodeling and equipping education and housing facilities, and facilities incidental, subordinate, or related thereto or appropriate in connection therewith, including (1) the bathrooms at the following residence halls: Nix, Behrens, Lange, Ferguson and Anderson; (2) the following athletic facilities: intramural field, soccer field and tennis courts; (3) improvements to the 2nd floor of Hunter Hall, the basement of Moody Center, Van Ellis Theatre and parking (4) heating, ventilating, and air conditioning (HVAC) improvements including the Johnson Building, the Logsdon Building and Moody Center; (5) renovating and waterproofing, including repairing roofs and drains to, Ferguson Hall, Nix Hall, the Logsdon Building and the Van Ellis Theatre and (6) other improvements including sidewalks, ramps, grounds and lighting; all located on the Campus (collectively, the "Project").

2. Such hearing was conducted commencing at 10:00 a.m. on December 6, 2016 at the Johnson Building Room 209 of Hardin-Simmons University, 2200 Hickory Street, Abilene, Texas 79601, which building and office was open to the public for purposes of the hearing.

3. At the time for the commencement of the hearing, comments, either orally or in writing, were publicly requested on the Project to be financed with proceeds of the Loan and on the making of the Loans.

4. At the hearing,

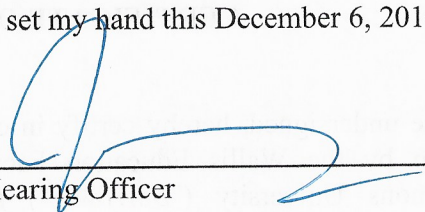
☒ no persons presented comments orally or in writing.

☐ the comments summarized in Exhibit B-1 were made orally by the persons listed therein.

☐ the written comments attached hereto were presented.

5. No time limitations were imposed on any public comments.

IN WITNESS WHEREOF, I have hereunto set my hand this December 6, 2016.



---

Hearing Officer

Jodie McGaughey  
Interim V.P. of Finance  
Hardin-Simmons University



**Resolution – Approving Financing by One or More Higher  
Education Facilities Corporation for the Benefit of  
Hardin-Simmons University**

December 15, 2016



## **Resolution – Approving Financing by One or More Higher Education Facilities Corporation for the Benefit of Hardin-Simmons University**

- One or more education facilities corporation will issue bonds, loans and/or other obligations in the maximum aggregate principal amount of \$25,000,000 to be loaned to Hardin-Simmons University for the purpose of financing and refinancing various improvements to education and housing facilities.
- Internal Revenue Code of 1986 Section 147(f) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice.
- Hardin-Simmons University held a public hearing on December 6, 2016.
- The City shall have no liabilities for the payments of the obligations nor shall any of the City's assets be pledged to secure the obligations.





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**  
**FROM: Mindy Patterson, Assistant City Manager**

**Resolution: Authorizing The Official Name Change of the Civic Center of Abilene, Texas**  
**SUBJECT: to Abilene Convention Center. *(Mindy Patterson)***

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**GENERAL INFORMATION**

The original Civic Center facility was completed in November 1970, with major renovations in October 1990, and August 2016. The Abilene Civic Center serves groups all over the United States, providing a facility where many activities, including meetings and conventions, trade shows, banquets, dances, concerts, road shows, and a variety of other events that truly enhance the cultural, educational, professional and recreational well-being of our citizens and community.

In FY 15/16, the Abilene Civic Center hosted over 400 events, with 100% weekend and 90% weekday usage, and over 500,000 event attendees, with an economic impact of \$5.0 million dollars in convention spending.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

**STAFF RECOMMENDATION**

Staff recommends the approval of the name change to Abilene Convention Center.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description                             | Type       |
|---|------------|
| ❑ Resolution Abilene Convention Center  | Cover Memo |
| ❑ Power Point Abilene Convention Center | Cover Memo |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AUTHORIZING THE OFFICIAL NAME CHANGE OF THE CIVIC CENTER OF  
ABILENE, TEXAS TO ABILENE CONVENTION CENTER.**

**WHEREAS**, the original Abilene Civic Center was completed in November 1970 with funding from a 1967 General Obligation Bond; and

**WHEREAS**, the conference center addition was completed in October 1990 with funding from Tax Increment Financing; and

**WHEREAS**, the exhibit hall and auditorium improvements were completed in August 2016 with funding from a 2015 General Obligation Bond; and

**WHEREAS**, The Abilene Civic Center serves groups all over the United States, providing a facility where many activities, including meetings and conventions, trade shows, banquets, dances, concerts, road shows, and a variety of other events that truly enhance the cultural, educational, professional and recreational well-being of our citizens and community;

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

PART 1. That the Civic Center of Abilene, Texas shall now be Abilene Convention Center.

PART 2. That this Resolution shall take effect upon passage.

**PASSED** this 15th day of December, 2016.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY



# Abilene Convention Center

- The Civic Center opened in November of 1970.
- Major renovations were done in October 1990 and August 2016.
- In FY 2016 over 400 events with 100% weekend and 90% weekday usage.
- Staff recommends changing the name to:

**ABILENE CONVENTION CENTER**





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Lesli Andrews, Director of Community Services**

**SUBJECT: Resolution: Authorizing the City Manager to hire a Zoo Development Coordinator and Health Administrative Coordinator (*Lesli Andrews*)**

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**GENERAL INFORMATION**

The Abilene Zoo and the Abilene Taylor County Public Health District are each requesting to increase the personnel schedule by one full time position.

The Abilene Zoological Society would like to see a full time Development Coordinator employed at the Abilene Zoo. This individual would be responsible for developing and implementing fund raising efforts including sponsorships, grant writing and capital campaigns for the Abilene Zoo.

The Breast and Cervical Cancer Screening (BCCS) program is a grant-funded program through Health and Human Services Commission (HHSC) that provides uninsured and under-insured women the opportunity to receive important screening and diagnostic services at no cost to the patient. The program partners with local providers to complete the screenings and diagnostic testing. BCCS currently contracts with one person who functions in many different roles: program management, eligibility, case management, billing, and outreach.

**SPECIAL CONSIDERATIONS**

The BCCS program was previously administered by the Alliance for Women & Children and Abilene Diagnostic Women's Clinic. The Health District took this program on after the Abilene Diagnostic Clinic terminated their contract with the state and the state reached out to the Abilene Taylor County Public Health District (ATCPHD). The ATCPHD has proven to run the program very efficiently and has experienced success in the short amount of time of running the program.

**FUNDING/FISCAL IMPACT**

All employee costs associated with the Zoo Development Coordinator would be reimbursed to the City of Abilene by the Abilene Zoological Society in accordance with the City/Society agreement.

All employee costs associated with the Health Administrative Coordinator would be covered by the BCCS grant.

**STAFF RECOMMENDATION**

Staff recommends approval of the Zoo Development Coordinator and the Health Administrative Coordinator.

**BOARD OR COMMISSION RECOMMENDATION**

Abilene Zoological Society approved funding for the new position at the September 1, 2016 board meeting.

**ATTACHMENTS:**

| Description    | Type              |
|----------------|-------------------|
| ☐ Resolution   | Resolution Letter |
| ☐ Presentation | Presentation      |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS  
AUTHORIZING THE CITY MANAGER TO HIRE A ZOO DEVELOPMENT  
COORDINATOR AND A HEALTH ADMINISTRATIVE COORDINATOR.**

**WHEREAS**, the City of Abilene and the Abilene Zoological Society, Inc. have a Zoo Operating Agreement, whereby the Abilene Zoological Society, Inc. has agreed to reimburse the City for all salary-related expenses for certain Zoo employees; and

**WHEREAS**, the Abilene Zoological Society, Inc. has agreed to reimburse the City for all salary-related expenses for a Zoo Development Coordinator; and

**WHEREAS**, the City has received Grant funding from the State Health and Human Services Commission; and

**WHEREAS**, the Grant allows the City to employ a Health Administrative Coordinator for the Mercy Health Care Center, and the Grant funds the employee; and

**WHEREAS**, the salaries and related employment expenses of the Zoo Development Coordinator and the Health Administrative Coordinator will be fully reimbursed to the City; and

**WHEREAS**, the Total Authorized Full-Time Personnel in the adopted FY 2017 Budget document does not contemplate the addition of these two additional full-time employees, and but for exceeding the authorized strength adopted by the budget, the City Manager would otherwise have the authority to create two full-time positions.

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

Part 1: That the City Manager is hereby authorized to hire the Zoo Development Coordinator and the Health Administrative Coordinator.

Part 2: That the salary and related employment expenses of the Zoo Development Coordinator will be fully reimbursed to the City by the Abilene Zoological Society, Inc., and the salary and related employment expenses of the Health Administrative Coordinator will be fully funded by the State Health and Human Services Commission Grant.

Part 3: That the Total Authorized Full-Time Personnel schedule shall be amended through the revised budget adoption process at the appropriate time.

Part 4: That this Resolution takes effect immediately upon its adoption.



**ADOPTED this 15<sup>th</sup> day of December, 2016.**

ATTEST:

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norman Archibald, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney

# **Abilene Zoo Development Coordinator and Health Administrative Coordinator**

December 15, 2016



# Abilene Zoo Development Coordinator

- The Abilene Zoological Society would like the Abilene Zoo to have a fulltime Development Coordinator.
- This individual would be responsible for developing and implementing fund raising efforts including sponsorships, grant writing and capital campaigns.
- The position would be a City employee fully reimbursed by the Abilene Zoological Society.
- The Abilene Zoological Society approved the funding of the position at the September 1, 2016 board meeting.



# Health Administrative Coordinator

- The Abilene-Taylor County Public Health District would like to add a full time position to oversee the Breast & Cervical Cancer (BCCS) Screening program.
- The BCCS provides uninsured and under-insured women the opportunity to receive important screening and diagnostic services at no cost to the patient.
- The position would be a City employee and fully funded by the Breast & Cervical Cancer Screening program through a grant from the Health and Human Services Commission.





# Questions?





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Stan Standridge, Chief of Police**

**SUBJECT: Resolution: Authorize the use of Criminal Investigations Division (CID) seized funds.  
(Stan Standridge)**

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**GENERAL INFORMATION**

Police CID has accrued \$11,757.60 from the seizure and subsequent forfeiture of proceeds associated with criminal investigations. In the 2016-2017 budget, CID anticipated spending \$2000 on soundproofing, cameras, recorders and safety equipment. Those monies will be spent, but the Division also needs to purchase cold weather jackets for detectives, as well as chairs for two briefing rooms that are used daily. To quote the CID Division Manager, Lt. Gary Bone: "The briefing rooms have become the graveyard for old broken chairs."

**SPECIAL CONSIDERATIONS**

Chapter 59 of the Texas Code of Criminal Procedure requires the City Council approve a budget that clearly lists and defines the categories of expenditures related to seized/forfeited funds.

**FUNDING/FISCAL IMPACT**

Estimated costs:

Jackets - \$4,750

Chairs - \$3,500

Total costs - \$8,250

**STAFF RECOMMENDATION**

Staff recommends Council approve the amended budgetary needs.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description                           | Type              |
|---------------------------------------|-------------------|
| <input type="checkbox"/> Resolution   | Resolution Letter |
| <input type="checkbox"/> Presentation | Presentation      |



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AUTHORIZING THE ABILENE POLICE DEPARTMENT TO PURCHASE COLD WEATHER  
JACKETS AND OFFICE CHAIRS USING SEIZED FUNDS**

**WHEREAS**, this City Council finds the Abilene Police Department CID Seized Fund object has \$11,757,60; and

**WHEREAS**, cold weather jackets and office furniture are necessary items, essential to the services provided by the Abilene Police Department; and

**WHEREAS**, seized / forfeited funds can be allocated for legitimate law enforcement purposes; and

**WHEREAS**, the City Council must approve a budget listing and defining categories of items purchased using seized funds.

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

PART 1: The City approves the use of CID Seized / Forfeited Funds for cold weather jackets for Detectives and office furniture for the Division.

PART 2: The City will obtain competitive bids for each of these items pursuant to State law.

PART 3: Anticipated costs for cold weather jackets are \$4,750 and \$3,500 for replacement briefing room chairs, totaling no more than \$8,250.

PART 4: That this Resolution shall take effect immediately from and after passage.

Adopted the \_\_\_\_ day of December, 2016

ATTEST:

\_\_\_\_\_

Danette Dunlap, City Secretary

\_\_\_\_\_

Norman Archibald, Mayor

APPROVED:

\_\_\_\_\_

Stanley Smith, City Attorney



# Authorization to spend CID seized/forfeited funds

Chief Stan Standridge



# Tx CCP Ch 59

- Property that is contraband is subject to seizure and forfeiture under this chapter. This includes proceeds that are gained from the commission of an offense.
- Attorney for the State may file for judgement (forfeiture) within 30 days of seizure.
- If the awarded forfeiture includes proceeds (70/30 split with DA's Office), they must be used for law enforcement purpose.
- Governing body must approve a budget that lists and defines categories of expenditures.



- Police softshell jacket with fleece liner (patches and badge will be added locally)







## Broken chairs





# Questions?





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Mayor & City Council**

**FROM: Robert Hanna, City Manager**

**SUBJECT: Resolution: Authorizing the the City Manager to enter into a Professional Services Agreement with Richard J. Leidl, P.C. (Robert Hanna)**

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**GENERAL INFORMATION**

Since 2005, the City of Abilene has utilized the professional services of Richard J. Leidl, a Washington, D.C. area legislative and regulatory consultant, to assist in identifying sources of federal funding for City projects. With his assistance, the City has received funding for use in projects ranging from paratransit vehicles to law enforcement training facility improvements. Mr. Leidl proposes to assist the City in seeking funding through agency grants, as well as with other on-going projects that involve Federal funding and oversight. Those efforts include assistance with the Cedar Ridge Reservoir Project and the City's application to the US Army Corps of Engineers for a 404 contraction permit. Mr. Leidl will also provide assistance in the City's efforts to secure future water supplies through the City's participation in the West Texas Water Partnership. With the both a new Administration and a new Congress in Washington, it is expected that there will be a wide range of legislative and regulatory initiatives that could impact Abilene. Mr. Leidl proposes to monitor these initiatives; represent the City to it's Congressional delegations and Federal agencies, and seek support for the City's positions.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

The professional services agreement is an annual sum of \$72,000 payable in twelve monthly installments of \$6,000 each, plus expenses. For historical reference purposes, total funds spend under this agreement for FY2016 were \$73,032.70, including expenses.

**STAFF RECOMMENDATION**

Staff recommends authorizing the City Manager to enter into the attached professional services agreement with Authority to extend the contract for additional periods without need of further Council approval, provided that Council continues to fund the services through the City's annual budget process.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description     | Type              |
|-----------------|-------------------|
| ▣ Resolution    | Resolution Letter |
| ▣ Proposal 2017 | Backup Material   |
| ▣ PowerPoint    | Presentation      |



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES  
CONTRACT WITH RICHARD J. LEIDL, P.C.**

**WHEREAS**, in 2005 the City of Abilene began using the professional services of Richard J. Leidl, a Washington DC legislative and regulatory consultant; and

**WHEREAS**, in the past Mr. Leidl has assisted the City of Abilene receive federal funding for a variety of City projects; and

**WHEREAS**, Mr. Leidl proposes to continue to assist the City of Abilene in 2017 with numerous ongoing projects including the Cedar Ridge Reservoir Project; and

**WHEREAS**, the estimated annual costs of such services will not exceed \$72,000 plus expenses.

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

**PART 1:** That the City Manager is hereby authorized to execute a professional services contract with Richard J. Leidl, P.C. for legislative and regulatory consulting services with authority to extend the contract for additional periods without need of further Council approval.

**PART 2:** That the contract value shall not exceed the estimated annual amount of \$72,000 plus expenses and will cover the period of January 1 through December 31, 2017.

**PASSED** this 15<sup>th</sup> day of December, A.D. 2016.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

## **EXHIBIT A**

**RICHARD J. LEIDL, P.C.**

5335 WISCONSIN AVENUE, N.W.

SUITE 440

WASHINGTON, D.C. 20015

TEL. 202.686.4847

rleidl@rjleidlpc.com

CELL 202.306.3253

FAX 202.686.2877

November 28, 2016

Mr. Robert Hanna  
City Manager  
City of Abilene  
555 Walnut Street  
Abilene, TX 79601

Re: Proposal for Representation in 2017

Dear Mr. Hanna:

Based on our discussions, we submit this proposal to continue to assist the City of Abilene ("City") during 2017 by providing legal services, including law-related services such as legislative lobbying, concerning: (1) efforts to obtain Federal funding and Federal support for various City projects, such as the proposed Cedar Ridge Reservoir and the joint efforts with the Cities of Midland and San Angelo to develop long-term water management strategies, and (2) the City's initiatives on Federal legislative and regulatory issues. Our efforts will include working with the City's Congressional delegation for support on legislation and matters with Federal agencies and working directly with Federal agencies to obtain funding or approvals through their programs.

During 2016, we assisted the City on the following Federal matters.

**A. Water Projects.**

**1. Cedar Ridge Reservoir.**

During 2016, we continued to assist the City in its efforts to construct a new water reservoir, known as the Cedar Ridge Reservoir. Our efforts included extensive meetings here in Washington, D.C., in March and November with Members and staff of the Congressional delegation and officials at the Army Corps of Engineers and the Environmental Protection Agency. The goals of these meetings have been to advise Federal officials about the reservoir's importance to the City and other communities in the region, to explore Federal funding opportunities, and to lay the foundation for Congressional and Federal agency support for this

significant, long-term project. We recommend that City officials continue this process in 2017 and propose to continue to assist the City with these efforts.

## **2. West Texas Water Partnership.**

We have assisted the City in its efforts to work with Midland and San Angelo in developing water management strategies, including participation in meetings and advising the Congressional delegation and Federal agencies. We propose to continue to assist the City in these efforts, including working with applicable Federal agencies to obtain approvals or funding, addressing Federal legislation that may affect the projects, and seeking Congressional support.

## **B. Abilene Regional Airport.**

During 2016, we continued to assist on issues concerning the Abilene Regional Airport ("Airport"), including updates on the Federal Aviation Administration ("FAA") Reauthorization Bill, which was passed on a short-term basis and expires on September 30, 2017. Consequently, Congress is expected to consider a new FAA bill next year and we propose to work with the City and the airport trade associations, ACI-NA and AAAE, to support programs that benefit the Airport and oppose legislative initiatives that would be harmful. This effort will include attending regular meetings at ACI-NA Headquarters in Washington to discuss Congressional and Federal agency developments.

In prior years, we also assisted the City in obtaining funding for the FAA control tower and in keeping the FAA TRACON facility at the Airport. We propose to assist the City on similar issues that might arise in order to ensure that the Airport has the necessary infrastructure and capabilities to meet the region's air service needs.

## **C. Federal Grants and Other Funding.**

We have continued to assist the City in its efforts to obtain Federal grant funding and provided information on the availability of funding under various programs. For example, in 2016 we assisted the City on issues involving the Justice Department's Asset Forfeiture Program and the Bureau of Reclamation's water efficiency grants. For 2017, we propose to continue to assist the City in obtaining funding from various Federal programs. This will include advising the City of grant programs, meetings with Federal agencies at the Headquarters level here in Washington, and seeking Congressional support for the City's grant applications.

## **D. Federal Legislative and Regulatory Issues.**

We have routinely tracked Federal legislative and regulatory issues that are of interest to the City, such as the FAA Reauthorizations Bills and the Surface Transportation Authorization Bills, and have advocated for the City's positions.

With the new Administration and a new Congress getting under way in January 2017, it is expected that there will be a wide range of legislative and regulatory initiatives that may impact Abilene and other municipalities. For example, Congress might consider comprehensive tax legislation. If so, the tax exempt status of municipal bonds could be eliminated or revised in a way that increases the costs of financing for Abilene and other cities. There are also proposals for large-scale infrastructure programs, which might provide grant funding for municipal projects.



We propose to monitor these initiatives, advise the City of developments, represent the City's interests with our Congressional delegation and Federal agencies, and seek support for the City's positions.

**E. Meetings in Washington, D.C.**


In 2017, as in prior years, we arranged and participated in meetings in Washington in March and November with City officials and Members and staff of our Congressional delegation, Federal officials at various agencies, and the Texas Office of State-Federal Relations. We recommend that City officials continue their practice of visiting Washington for these meetings and we propose to continue to assist the City with these efforts. Based on developments, we will advise the City whether additional visits are needed to address specific issues that might arise. In addition, we will continue to keep Members and Congressional staff apprised of developments and meet with them when necessary.

**F. Proposal for 2017.**

For 2017, we propose to assist the City on the foregoing Federal issues and other ones that might arise and propose a retainer of \$72,000 plus expenses for the period January 1, 2017 through December 31, 2017, which would be \$6,000 per month plus expenses. This is the same amount that has been in place for the past eight years. Our Billing and Payment Policies are attached. It has been our practice to work very closely with the City as part of its team and we will be in regular contact through telephone calls and emails with City officials to keep you apprised of developments.

If this proposal is acceptable, please confirm the City's agreement by executing a copy of this letter in the space provided and returning it to me. It continues to be a privilege to be a part of the City's team here in Washington and we appreciate the opportunity to be of assistance.

Sincerely,

  
Richard J. Leidl  
President

The foregoing is agreed to:

The City of Abilene

By: \_\_\_\_\_  
Robert Hanna  
City Manager

Dated:

# Resolution: Professional Service Agreement

- Professional Services Agreement with Richard J. Leidl Legislative and Regulatory Consultant
- The City has utilized his services since 2005
- Mr. Leidl assists the City in seeking funds that involve Federal Funding
- Assistance in – Cedar Ridge Reservoir Project – U.S. Army Corps of Engineers for a 404 permit.
- West Texas Water Partnership
- Working with the new Administration and a new Congress in D.C.
- Annual Sum of \$72,000





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Kent Sharp, CEO for the Development Corporation of Abilene, Inc.**

**SUBJECT: Presentation and Oral Resolution: FY16 Annual Report of Activities for the Development Corporation of Abilene (Kent Sharp)**

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**GENERAL INFORMATION**

The By-laws of the Development Corporation of Abilene, Inc. (DCOA) state; "The Corporation is required to be regularly accountable to the City Council for all activities undertaken by them or on their behalf, and shall report on all significant activities of the Corporation to the City Council, whether discharged directly by the Board or by any person, firm, corporation, agency, association or other entity on behalf of the Corporation."

**SPECIAL CONSIDERATIONS**

This is the twenty-seventh annual report submitted by the DCOA since its inception in 1989.

**FUNDING/FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

Staff recommends City Council approve by oral resolution the attached FY2016 DCOA Annual Report.

**BOARD OR COMMISSION RECOMMENDATION**

The DCOA Board approved the report during its November 22, 2016, meeting.

**ATTACHMENTS:**

| Description   | Type            |
|---|-----------------|
| □ Development Corporation of Abilene Annual Report of Activities; October 2015-September 2016 | Backup Material |



# DEVELOPMENT CORPORATION OF ABILENE



ANNUAL REPORT OF ACTIVITIES

*October 1, 2015 – September 30, 2016*



## Letter from the CEO



### Fiscal year 2015-2016

During the past year, the Development Corporation of Abilene, Inc. (DCOA) saw continued progress on projects already started plus initiated four new projects. Two of the new projects involve assistance to existing small businesses, a renewed approach taken by the DCOA (Lone Star Canvas & Sign Works and Hat Creek Carriers). The DCOA also continued its tradition of helping existing larger employers expand their capabilities (AbiMar Foods and Eagle Aviation Services), and we were instrumental in securing another new educational facility with advanced workforce training capabilities via Texas State Technical College.

As Envoy Air, Inc. (part of the American Airlines Group) launched into service the new Embraer 175 regional jets in January 2016, Eagle Aviation Services, Inc. (EASI) became one of the leaders in providing maintenance service on these new and much larger aircraft. That wouldn't have happened had the DCOA not approved construction of "doghouse" additions to two of EASI's five hangars at the Abilene Regional Airport at a total cost of over \$4.3 million, giving EASI a competitive edge for contracting work on the new jets. EASI currently employs more than 400 individuals in Abilene.

Colombian-based Grupo Nutresa, operating as AbiMar Foods in the U.S., continued to expand their cookie and cracker production lines at both Abilene plants. With AbiMar reporting employment approaching 600 people in Abilene, the DCOA was able to partner with the company in their \$15 million expansion of production capabilities.

This year the DCOA shifted more focus to small businesses operating in Abilene. Lone Star Canvas & Sign Works and Hat Creek Carriers each had less than 20 employees when they approached the DCOA about the possibility of expanding their enterprises locally. Each company was provided assistance to boost their employment and improve and/or expand operations.

Negotiations continued for assistance to establish a new Texas State Technical College campus in Abilene, which resulted in a commitment of financial assistance by the DCOA and other local community groups. Those funds will be leveraged against \$12 million in Texas Tuition Revenue Bonds approved by the state legislature during the last session. The new state of the art training facility will address a growing shortage of skilled welders and industrial maintenance workers challenging our industrial business community and is necessary for economic development efforts in Abilene.

Finish-out construction started last spring on a 100,000 square foot shell building in the Five Points Business Park, otherwise known as Spec 3, for Prairie Dog Pet Products (PDPP). Construction includes new office, production and warehousing space to be completed in November 2016 for a dynamic and fast-growing pet products manufacturer. Initially slated to employ 200 plus individuals in Abilene, product demand has now grown so much that the company fully expects to employ 500 or more by the end of 2018.

Finally, the Five Year Strategic Plan for economic development was delivered to the DCOA in March 2016. With the help of our economic development partners, this comprehensive guide establishes a program of work with detailed strategies and action items coupled with expected timeline completion dates. It will direct much of our efforts over the coming years. Accountability is core to the implementation of the plan and we, as well as our partners, fully understand the need to deliver results back to the community.

# DEVELOPMENT CORPORATION OF ABILENE

## History:

In 1989, this community set a precedent for the rest of Texas when Abilenians voted to become the first community to adopt a half-cent sales tax devoted specifically to economic development. On November 16, 1989, City Council authorized the creation of the Development Corporation of Abilene, Inc. (DCOA).

## Goals:

The DCOA has identified four key goals for its economic development efforts:

GOAL 1: Develop and communicate a plan to implement the Five Year Strategic Plan

GOAL 2: Standardize the process of developing and presenting incentives for approval that aligns with the Five Year Strategic Plan for Economic Development.

GOAL 3: Plan, execute and evaluate a new workforce training program with our education partners and Workforce Solutions of West Central Texas

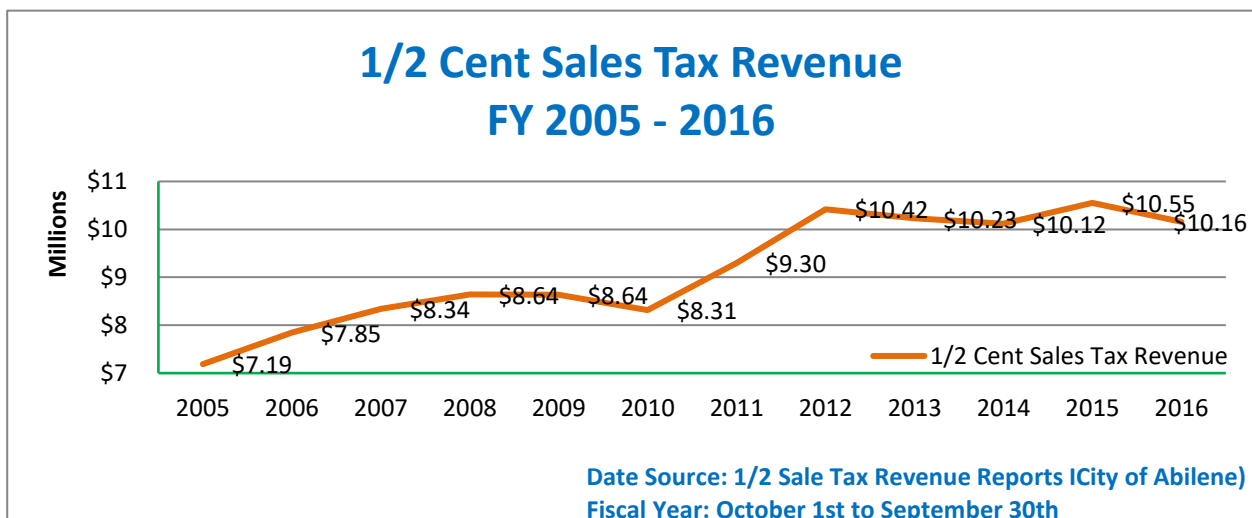
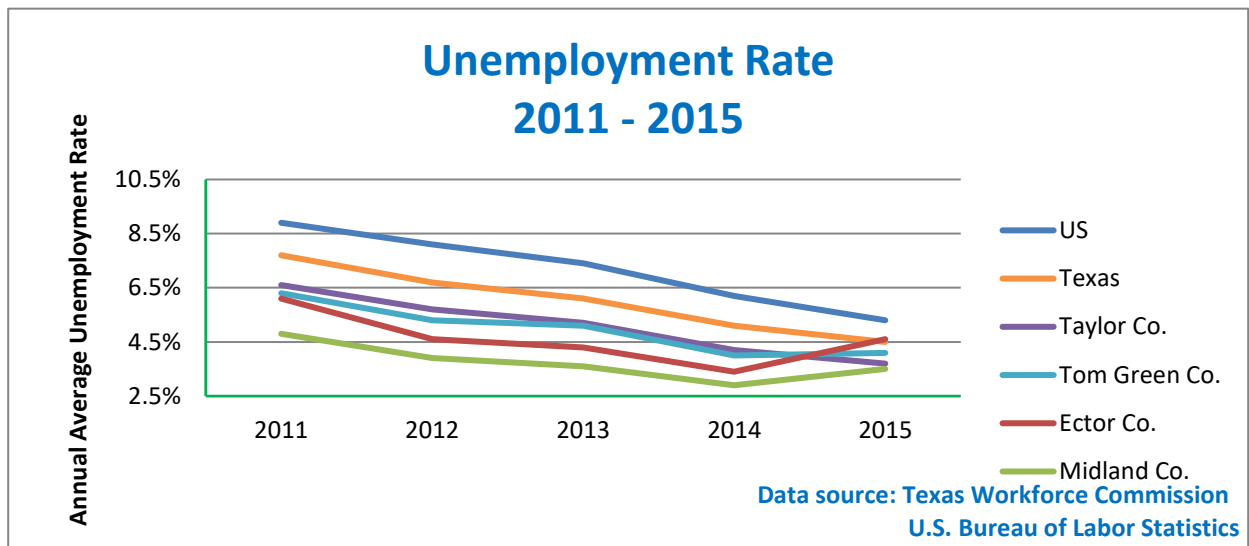
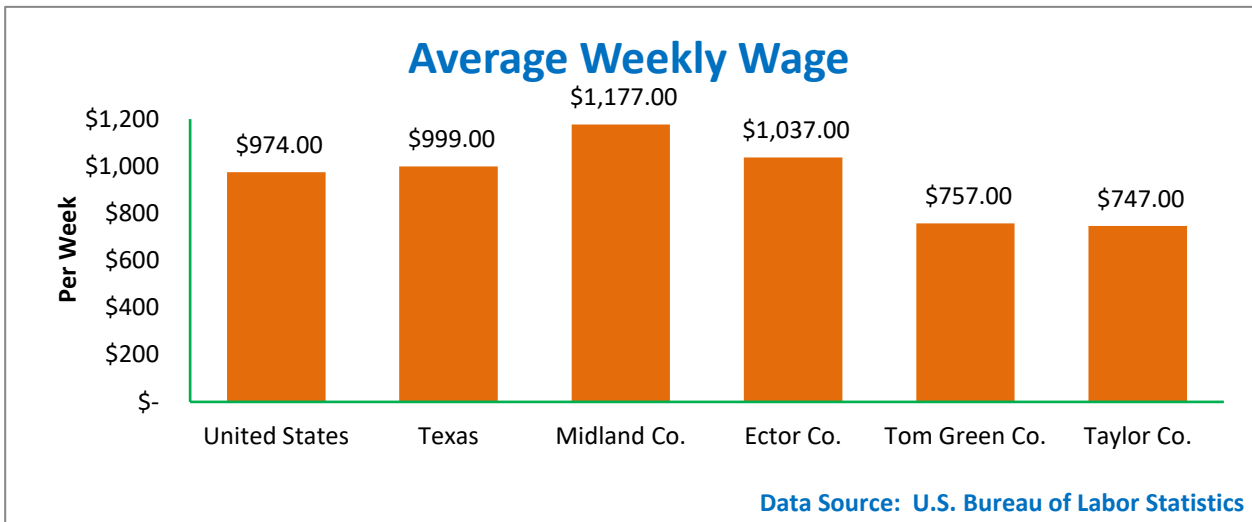
GOAL 4: Develop and execute a communications strategy, in conjunction with AIF, which raises the awareness of the local and outside media, as well as local stakeholders, of the successes of the DCOA.



## Mission Statement:

The mission of the Development Corporation of Abilene, Inc. is to use sales tax revenue to effectively stimulate Abilene's economic growth. This is done by assessing the community's economic development needs, developing a plan to meet those needs, coordinating community economic development efforts, and supporting targeted activities that enhance the quality of life in the community and maximize the public's return on invested tax dollars.

# SALES TAX COLLECTIONS AND UNEMPLOYMENT RATE



# PROJECT SUMMARIES

October 1, 2015 to September 30, 2016

## Prairie Dog Pet Products

The DCOA approved an assistance package totaling \$9,500,000 for Prairie Dog Pet Products (PDPP) in 2015. The company is a leading specialty manufacturer of premium pet treats and antlers. With a growing demand for products and limited space at the current Grand Prairie location, they are establishing a new \$30 million manufacturing plant and moving part of their corporate headquarters to the Spec 3 building in the Five Points Business Park. Since the structure had been vacant for eight years, the Board approved additional funds of \$244,795 to prepare the building for finish-out construction, including renovations to the existing ventilation system. Finish-out construction will be completed in November and PDPP hopes to be under production in January 2017.



## Texas State Technical College

The first Texas State Technical College (TSTC) Abilene campus was established in 1985. There are now a total of three campuses; the main campus building on E. Hwy 80; a hangar at the Abilene Regional Airport which houses the Airframe & Power plant program; and the Culinary Arts program located in the downtown district. The DCOA has assisted the Abilene campuses in various ways since 1990. TSTC believes in order to serve anticipated expanding growth in Abilene in the services, mining, manufacturing and trade industries there is a need for a new industrial training campus. TSTC recently received authorization from the State of Texas to issue \$12 million in tuition revenue bonds to construct the new Abilene campus. They asked for \$6 million in match grant funding from the community over 10 years, including about 50 acres of land on Loop 322 in the NW quadrant of the Abilene Regional Airport. The DCOA board approved \$400,000 each year for the next ten years in operating funds as a partial match, and the remaining \$200,000 is being provided by the Abilene community.





## AbiMar Foods, Inc.

The DCOA approved assistance for AbiMar Foods, Inc. to expand its cookie and cracker production. The company is investing \$15 million with the DCOA reimbursing 10% of actual costs up to \$1,500,000. The funds will help re-tool and modify two existing lines at the North 1<sup>st</sup> St. location and completely add a new line at the South 1<sup>st</sup> St. facility for cookie production. The company mainly merchandises its products under the brands Lil' Dutch Maid, Sun Valley, and Tru-Blu that are sold in 43 states in the United States, Mexico and in Panama. The DCOA has assisted the company since 1992 with many of its expansion and capital investment projects. Employment has grown from 27 in 1992 to almost 600 today. On August 31, 2016, several of the key corporate people from Colombia visited the facilities and expressed strong support for continued investment in their Abilene operations.



## Broadwind Towers, Inc.

Broadwind Towers, Inc. is in the process of expanding its Abilene wind towers and monopoles production facility in four separate phases over the next couple of years at a



total cost of about \$7,150,000. A recent extension of the production tax credit or PTC (a federal tax credit for renewable energy projects) prompted the decision to expand, with the Abilene plant chosen as the expansion site. The DCOA agreed to provide funding up to \$715,000 at 10% of Broadwind's actual costs. The company is based in Manitowoc, Wisconsin, and established a plant in

Abilene in 2008 with the DCOA's assistance. Current Abilene employment is about 170- full time individuals manufacturing towers for the wind turbines scattered throughout West Texas. No new employment is anticipated at this time. The expansion includes construction of an additional structure and purchase of production equipment. Phases I, II and III are expected to be completed by August 2017 with Phase IV expected by August 2018.

## Lone Star Canvas & Sign Works

Lone Star Canvas & Sign Works is a locally owned manufacturer of custom canvas and vinyl products located in downtown. The products range from utility lift bags, truck tarps, patio enclosures, commercial and residential awnings, oil field products, boat covers, signs and decals. The company's success can



be attributed to the international customers that purchase their products and its operation is the only one in Texas between the DFW Metroplex and El Paso. In November of 2015 the DCOA approved \$112,000 to enable Lone Star Canvas to expand its operation. The company purchased a 10,000 square foot building and a 32' CNC cutting table with a fabric

laser digitizer to automate some of its process and accommodate future growth.

## 18/36 Industrial Park

The DCOA approved a scrub clearing contract to clear 80 acres of land located at Hwy 36 and FM 18 owned by the DCOA. To accommodate development of the property, the acreage needs to be visible so prospective buyers can better visualize their project there. To retain a more natural appearance to the property, 1 or more trees per acre will be left intact. The property was purchased in 2002 with the intent to create a centralized distribution point in Abilene combining rail, air and highway access.



## Strategic Plan

On March 29, 2016, a new, 5-year strategic plan completed by TIP Strategies of Austin was presented to the public in a joint meeting of the DCOA and Abilene City Council. The 10 strategies outlined in the plan include: 1) Aggressively marketing and promoting Abilene as a destination for new investment and employment; 2) Building a deep and highly skilled talent base through development, retention and attraction; 3) Developing and innovating an ecosystem that spawns and supports innovative people and businesses; 4) Position Abilene as “top of mind” or “first choice” for businesses and talent coming out of the Dallas-Fort Worth



Metroplex; 5) Support the growth and prosperity of existing businesses; 6) Making downtown Abilene a center of employment and investment; 7) Continue to redevelop the Pine Street Corridor as a central mixed-use artery connecting downtown to the City's emerging education and healthcare district; 8) Engage emerging leaders in economic development and civic affairs; 9) Leverage Dyess Air Force Base as a source of talent and an economic driver; and 10) Launch a community-wide public awareness campaign designed to encourage residents to become ambassadors for Abilene's success. The plan will be implemented over the next five years by various partners with the DCOA.

## CEDA Award

The Texas Economic Development Council (TEDC) awarded the DCOA the annual Community



Economic Development Award (CEDA) for 2016. The CEDA program recognizes exceptional contributions of TEDC member cities toward the economic vitality of their communities and the State of Texas through creativity, leadership, and partnership in the achievement of business retention, business recruitment and community improvement. Abilene was awarded the State's highest recognition, competing against seven other communities in the 100,000 plus population category including Tyler, Round Rock, Frisco, Pasadena, Brownsville, Lubbock and San Antonio. Abilene was nominated based on its successful efforts to bring Prairie Dog Pet Products to the community. This is the first time in the 21-year history of the CEDA that Abilene has received this distinguished honor.





**Board of Directors:**

**Dave Copeland** President  
**Marelyn Shedd** Vice President  
**John Beckham** Secretary/Treasurer  
**Dani Ramsay**  
**Jack Rich**

**Staff:**

**Kent Sharp** Chief Executive Officer  
**Kim Tarrant** Chief Administrative Officer  
**Akane Thaxton** Economic Development Specialist  
**Don Hardin** Property and Construction Project Manager  
**Cynthia Nesmith** Administrative Coordinator



**Develop**Abilene

**Development Corporation of Abilene**

**174 Cypress Street, Suite 301**

**Abilene, Texas 79601**

**325.676.6390**

**[www.AbileneDCOA.com](http://www.AbileneDCOA.com)**





**DEVELOPMENT CORPORATION OF ABILENE**  
**STATEMENT OF NET POSITION**  
**September 30, 2016 and 2015**  
*Preliminary*

|  | September<br>2016           | September<br>2015           |
|--|-----------------------------|-----------------------------|
| <b>Current Assets:</b>                         |                             |                             |
| Cash and cash investments                      | \$ 20,111,606               | \$ 20,306,992               |
| Accounts receivable                            | 194,627                     | 173,059                     |
| Due from other governments                     | 1,789,074                   | 1,847,609                   |
| Prepaid expense                                | 2,910                       | 8,200                       |
| Total Current Assets                           | <u>22,098,217</u>           | <u>22,335,860</u>           |
| <b>Noncurrent Assets:</b>                      |                             |                             |
| Notes receivable                               | 3,686,267                   | 11,125,563                  |
| Notes receivable - earning economic incentives | 8,374,760                   | 3,807,207                   |
| Capital assets, net of depreciation            | <u>48,974,663</u>           | <u>39,295,746</u>           |
| Total Noncurrent Assets                        | <u>61,035,690</u>           | <u>54,228,516</u>           |
| <b>Total Assets</b>                            | <u><u>\$ 83,133,907</u></u> | <u><u>\$ 76,564,376</u></u> |
| <b>Liabilities</b>                             |                             |                             |
| Current:                                       |                             |                             |
| Accounts payable                               | \$ 737,543                  | \$ 870,510                  |
| Total Current Liabilities                      | <u>737,543</u>              | <u>870,510</u>              |
| Total Liabilities                              | <u>737,543</u>              | <u>870,510</u>              |
| <b>Net Position</b>                            |                             |                             |
| Net Investment in capital assets               | 48,974,663                  | 39,295,746                  |
| Restricted for contractual obligations         | 13,090,516                  | 8,549,691                   |
| Unrestricted, designated for purposes of trust | <u>20,331,185</u>           | <u>27,848,429</u>           |
| Total Net Position                             | <u>82,396,364</u>           | <u>75,693,866</u>           |
| <b>Total Liabilities and Net Position</b>      | <u><u>\$ 83,133,907</u></u> | <u><u>\$ 76,564,376</u></u> |

**DEVELOPMENT CORPORATION OF ABILENE**  
**SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN NET POSITION**  
For the year ending September 30, 2016 and 2015  
*Preliminary - Budget Basis*

|  | September<br>2016    | Fiscal YTD<br>2016   | Fiscal YTD<br>2015            |
|--|----------------------|----------------------|-------------------------------|
| <b>Revenues:</b>                           |                      |                      |                               |
| Sales and use taxes                        | \$ 756,171           | \$ 10,160,766        | \$ 10,552,304                 |
| Interest income                            | 14,605               | 168,358              | 116,504                       |
| Building rental / land lease               | 86,163               | 1,099,980            | 1,070,896                     |
| Sale of Land                               |                      | 496,459              | 163,635                       |
| Miscellaneous revenue                      | 207,328              | 324,495              | 611,483                       |
| Total Revenues                             | <u>1,064,267</u>     | <u>12,250,058</u>    | <u>12,514,822</u>             |
| <b>Expenses:</b>                           |                      |                      |                               |
| Economic Development Projects              | 329,639              | 5,480,573            | 8,826,830                     |
| Life Sciences property maintenance         | 20,397               | 355,444              | 554,433                       |
| DCOA property maintenance                  | 24,571               | 379,947              | 256,506                       |
| Abilene Industrial Foundation              | 146,498              | 501,676              | 410,382                       |
| TTU Small Business Development Center      | 29,944               | 155,606              | 157,763                       |
| Chamber Military Affairs                   | 126,657              | 338,410              | 391,382                       |
| Airport Business Development Manager       | 62,455               | 161,008              | 139,442                       |
| Economic Development Operating Division    | 71,023               | 670,616              | 562,189                       |
| Total Expenditures                         | <u>811,184</u>       | <u>8,043,280</u>     | <u>11,298,927</u>             |
| <b>Changes In Net Position</b>             | 253,083              | 4,206,778            | 1,215,895                     |
| <b>Net Position at Beginning of Period</b> | <u>82,143,281</u>    | <u>78,189,586</u>    | <u>74,477,971</u>             |
| <b>Net Position at End of Period</b>       | <u>\$ 82,396,364</u> | <u>\$ 82,396,364</u> | <u>\$ 75,693,866</u> <b>A</b> |

**Summary of Current Period Economic Development Projects:**

|  |                   |
|--|-------------------|
| Rentech '12 - Principal reduction for capital investment | \$ 120,000        |
| Rentech '12 -Principal reduction for job creation        | 34,200            |
| Hangar Doghouses - A/E                                   | 3,141             |
| Hangar 0 Doghouse  | 26,543            |
| EASI De-Fuel Truck                                       | 3,900             |
| Spec 3 Remediation/Repair                                | 141,855           |
| Total  | <u>\$ 329,639</u> |

**A: Reconciliation to Beginning Fund Balance - FY 16**

|  |                   |
|--|-------------------|
| FY 15 Net Position before audit accruals | 75,693,866        |
| Add: Fixed assets capitalized            | 3,849,788         |
| Add: Gain on sale of assets              | 150,307           |
| Add: Change in accrued expenses          | 38,044            |
| Less: Change in accrued revenue          | (196,301)         |
| Less: Proceeds from sale of land         | (163,635)         |
| Less: Depreciation                       | (1,182,483)       |
|  | <u>78,189,586</u> |

**Development Corporation of Abilene  
Economic Program Status  
As of September 30, 2016**

| Economic Programs:  | Project       | Amount<br>Budgeted   | Prior Years<br>Disbursement | Current Year<br>Disbursement | Balance reserved<br>for budgeted<br>programs |
|---|---------------|----------------------|-----------------------------|------------------------------|--|
| TTU Pharmacy School   | 5242          | \$ 1,893,035         | \$ 1,702,310                | \$ 190,725                   | \$ -   |
| Pactiv (formerly PWP)   | 5251          | 2,507,899            | 2,507,899                   | -                            | -  |
| TTU 842 Pine  | 5308          | 853,999              | 690,999                     | 163,000                      | -  |
| Pepsi Beverage Co.  | 5321          | 140,000              | 140,000                     | -                            | -  |
| Petrosmith Ph 1, 3 & 4  | 5330          | 847,290              | 640,360                     | 206,930                      | -  |
| Petrosmith Ph 5   | 5330.1        | 150,667              | -                           | 150,667                      | -  |
| TTUHSC School of Nursing  | 5331          | 1,076,253            | 806,885                     | 269,368                      | -  |
| Rentech '12   | 5342          | 470,000              | 315,800                     | 154,200                      | -  |
| Owens Machine & Tool  | 5345          | 88,761               | 64,682                      | 24,079                       | -  |
| Hangar Doghouses A/E  | 5348.1        | 423,000              | 305,155                     | 17,163                       | 100,682                                      |
| Hangar Doghouses Construction                                     | 5348.2        | 2,732,618            | 2,559,870                   | 162,385                      | 10,363                                       |
| Hangar 0 Doghouse Construction                                    | 5348.3        | 2,000,000            | -                           | 603,023                      | 1,396,977                                    |
| EASI De-Fuel Truck  | 5354          | 111,560              | 56,000                      | 22,200                       | 33,360                                       |
| Fehr Foods '13  | 5356          | 222,815              | 148,543                     | 74,272                       | -  |
| Tucker Energy Services  | 5359          | 585,000              | 91,030                      | 80,675                       | 413,295                                      |
| Five Points Infrastructure  | 5359.1        | 1,000,000            | 137,491                     | -                            | 862,509                                      |
| 5 Pts RR Expansion  | 5363.1        | 30,800               | 11,000                      | 13,320                       | 6,480  |
| Spec 3 Finish Out A/E   | 5364.1        | 608,389              | 608,389                     | -                            | -  |
| Spec 3 Finish Out Construction                                    | 5364.2        | 2,067,883            | 1,902,313                   | 165,570                      | -  |
| Fehr Foods Expansion  | 5368          | 5,123,000            | 1,501,959                   | 1,601,237                    | 2,019,804                                    |
| Broadwind Towers 2014   | 5373          | 679,300              | 99,222                      | 580,078                      | -  |
| Corley Wetsel Trucking  | 5376          | 455,200              | -                           | -                            | 455,200                                      |
| Clavel Corp   | 5377          | 56,256               | 31,150                      | 25,106                       | -  |
| Fehr Foods 14   | 5378          | 160,278              | 53,426                      | 53,426                       | 53,426                                       |
| Gift Card System  | 5379          | 82,100               | 22,340                      | 33,055                       | 26,705                                       |
| BWJ Consulting  | 5382          | 619,000              | 117,293                     | 163,647                      | 338,060                                      |
| Dyess Telecomm Upgrade  | 5383          | 6,935                | 6,935                       | -                            | -  |
| Pine St. Buildings - Hail Damage                                  | 5384.1        | 10,016               | 10,016                      | -                            | -  |
| Pine St. Buildings - Construction                                 | 5384.2        | 449,690              | 293,559                     | 156,130                      | 1  |
| Datoo Technologies  | 5385          | 280,750              | 34,216                      | 47,244                       | 199,290                                      |
| DCOA Strategic Planning   | 5386          | 130,000              | 105,000                     | 20,000                       | 5,000  |
| Coca Cola Refreshments  | 5387          | 3,200,000            | -                           | -                            | 3,200,000                                    |
| Martin Sprocket & Gear  | 5388          | -                    | -                           | -                            | -  |
| Industrial Maintenance Training AISD                              | 5389          | 70,000               | -                           | 50,100                       | 19,900                                       |
| Lone Star Canvas  | 5390          | 50,000               | -                           | -                            | 50,000                                       |
| Abimar Foods 2015   | 5391          | -                    | -                           | -                            | -  |
| BCBS Roof Repairs   | 5392          | 953,400              | -                           | -                            | 953,400                                      |
| TTUHSC School of Public Health                                    | 5393          | 1,426,901            | -                           | 87,422                       | 1,339,479                                    |
| Prairie Dog Pet Products  | 5394          | -                    | -                           | -                            | -  |
| Five Points Rail Spur   | 5395          | 33,942               | -                           | 33,942                       | -  |
| Spec 3 Remediation  | 5396          | 244,795              | -                           | 214,993                      | 29,802                                       |
| ALSF Unwind   | 5397          | 116,616              | -                           | 116,616                      | -  |
| 18/36 Industrial Park   | 5397          | 52,000               | -                           | -                            | 52,000                                       |
| <b>Subtotal Economic Program Obligation Reserve</b>               |               | <b>\$ 32,010,148</b> | <b>\$ 14,963,842</b>        | <b>\$ 5,480,573</b>          | <b>\$ 11,565,733</b>                         |
| <b>Plus Administrative Division Obligations:</b>                  |               |                      |                             |                              |  |
| Economic Development Operating Division                           | Division 2760 | 705,210              | -                           | 670,616                      | 34,594                                       |
| Life Sciences Property Maintenance                                | Division 2765 | 384,420              | -                           | 355,444                      | 28,976                                       |
| DCOA Property Maintenance   | Division 2775 | 1,716,464            | -                           | 379,947                      | 1,336,517                                    |
| Abilene Industrial Foundation                                     | Division 2775 | 501,676              | -                           | 501,676                      | -  |
| TTU Small Business Dev Center                                     | Division 2775 | 200,000              | -                           | 155,606                      | 44,394                                       |
| Chamber Military Affairs  | Division 2775 | 397,000              | -                           | 338,410                      | 58,590                                       |
| Airport Business Development Manager                              | Division 2775 | 182,720              | -                           | 161,008                      | 21,712                                       |
| <b>Subtotal Administrative Divisions Obligation Reserve</b>       |               | <b>\$ 4,087,490</b>  | <b>\$ -</b>                 | <b>\$ 2,562,707</b>          | <b>\$ 1,524,783</b>                          |
| <b>Total reserve for obligated programs</b>                       |               |                      |                             |                              | <b>\$ 13,090,516</b>                         |
| <b>DCOA Board approved projects waiting for signed contracts:</b> |               |                      |                             |                              |  |
| Dyess JLUS  |               | \$ 50,000            | 6/17/17                     |                              |  |
| TSTC New Campus Ops   |               | 4,000,000            | 3/21/17                     |                              |  |
| Broadwind Towers 2016   |               | 715,000              | 2/24/17                     |                              |  |
|   |               | <u>\$ 4,765,000</u>  |                             |                              |  |

**Development Corporation of Abilene**  
**Revenue and Expense**  
**Budget vs Actual Comparison**  
**October 2015 - September 2016**

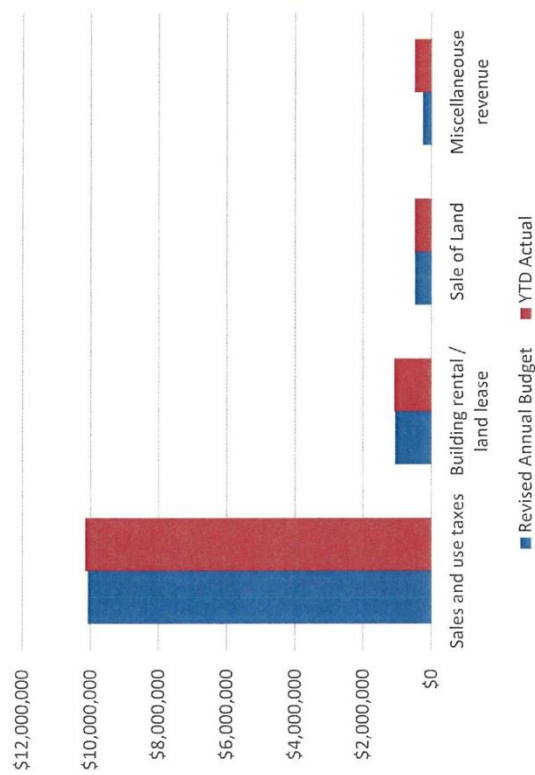
**Revenue**

|                              | Revised Annual Budget | YTD Actual | % of Budget |
|------------------------------|-----------------------|------------|-------------|
| Sales and use taxes          | 10,088,060            | 10,160,766 | 101%        |
| Building rental / land lease | 1,072,880             | 1,099,980  | 103%        |
| Sale of Land                 | 496,460               | 496,459    | 100%        |
| Miscellaneous revenue        | 267,940               | 492,853    | 184%        |
| Revenue                      | 11,925,340            | 12,250,058 | 103%        |

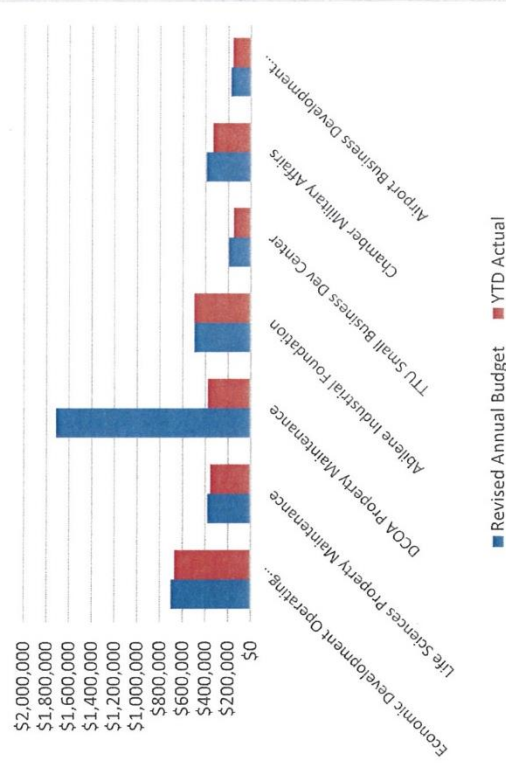
**Expenses**

|   | Revised Annual Budget | YTD Actual | % of Budget |
|---|-----------------------|------------|-------------|
| Economic Development Operating Division | 705,210               | 670,616    | 95%         |
| Life Sciences Property Maintenance      | 384,420               | 355,444    | 92%         |
| DCOA Property Maintenance               | 1,716,464             | 379,947    | 22%         |
| Abilene Industrial Foundation           | 501,676               | 501,676    | 100%        |
| TTU Small Business Dev Center           | 200,000               | 155,606    | 78%         |
| Chamber Military Affairs                | 397,000               | 338,410    | 85%         |
| Airport Business Development Manager    | 182,720               | 161,008    | 88%         |
|   | 4,087,490             | 2,562,707  | 63%         |

**FY 16 Budget vs Actual Revenue**



**FY 16 Budget vs Actual Expenses**







**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Ronnie Kidd, Managing Director for Administration**

**SUBJECT: Resolution: Approving Stop Loss Insurance Coverage for Health Plan Year 2017. (Mindy Patterson)**

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**GENERAL INFORMATION**

The City of Abilene provides health and prescription insurance coverage to employees and retirees through its self-funded health plan. To insure against the loss risk of significant health claims, the City purchases stop loss insurance for each plan year. This is accomplished through a competitive bidding process with stop loss insurance carriers. The stop loss insurance provides coverage for both individual and aggregate claims above a certain level (deductible). Our current (plan year 2016) individual stop loss deductible is \$190,000 and aggregate stop loss deductible is 125% of expected claims (\$8.5 million). The stop loss insurance carriers factor the deductible levels into the quote that they provide.

**SPECIAL CONSIDERATIONS**

The deadline for best and final offers (quotes) from carriers was December 5, 2016. Five carriers responded with 20 offers, including the current third party administrator, Aetna. HCC presented the lowest cost offer, as reflected below in a snapshot of offers:

| Carrier | HCC       | Aetna       | PartnerRe<br>Opt 1 | PartnerRe<br>Opt 2 | HM Life   | SA Benefit Svc |
|---------|-----------|-------------|--------------------|--------------------|-----------|----------------|
| Cost    | \$756,824 | \$1,357,764 | \$833,238          | \$1,092,127        | \$908,625 | \$1,327,991    |

**FUNDING/FISCAL IMPACT**

The stop loss coverage is part of the self-insurance fund fiscal year 2017 budget. The total cost for the stop loss premium for plan year 2017 will be \$756,824. The individual stop loss deductible will remain at \$190,000 and the aggregate stop loss deductible will be 125% of expected claims (\$12.2 million).

**STAFF RECOMMENDATION**

It is the recommendation of staff as well as that of Holmes Murphy and Associates, our benefits consultants, that the City accept the offer from HCC Life Insurance Company.

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

| Description             | Type       |
|-------------------------|------------|
| ▣ Stop Loss Resolution  | Cover Memo |
| ▣ Stop Loss Power Point | Cover Memo |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS  
APPROVING THE STOP LOSS INSURANCE COVERAGE FOR THE HEALTH PLAN  
OF THE CITY OF ABILENE FOR PLAN YEAR 2017.**

**WHEREAS**, the City of Abilene maintains a self-insured plan for the health and prescription medication claims of its employees ,and

**WHEREAS**, it is common industry practice to insure against the risk of large dollar claims to a self-insurance fund by the purchase of stop loss insurance coverage, and

**WHEREAS**, the current stop loss coverage will expire on December 31, 2016, and

**WHEREAS**, the City wishes to purchase stop loss coverage for plan year 2017, and

**WHEREAS**, the City of Abilene, through its benefits consultants Holmes Murphy and Associates, has gone to the market and received competitive quotes for said coverage,

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

PART 1. That the stop loss insurance coverage quote most advantageous to the City was provided by HCC Life Insurance Company.

PART 2. That the City Manager is hereby authorized to execute the agreement with HCC Life Insurance Company for the provision of stop loss insurance coverage.

**PASSED** this 15th day of December, 2016.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY



HOLMES MURPHY®

THINKING AHEAD

# **CITY OF ABILENE REVIEW OF STOP LOSS MARKETING**

**PRESENTED BY: JARRAD WILLS**

**DECEMBER 15, 2016**

# CURRENT STOP LOSS COVERAGE

## STOP LOSS WITH HCC – 3<sup>RD</sup> PARTY STOP LOSS VENDOR

- CITY IS DUE \$672,122 TO DATE IN STOP LOSS REIMBURSEMENTS THROUGH OCTOBER, 2016
- CURRENT STOP LOSS PREMIUM \$650,000
- THROUGH OCTOBER, 2016 THE CITY HAS HAD 7 REIMBURSEMENTS
- IN COMPARISON
  - 2015 – 5 REIMBURSEMENTS
  - 2014 AND 2013 HAD ZERO REIMBURSEMENTS





# OTHER CONSIDERATIONS

INITIAL HCC RENEWAL – 28.4%

\$110,000 OVER BUDGET

HOLMES MURPHY NEGOTIATED TO 15.3%

THE CITY IMPLEMENTED SIGNIFICANT PLAN CHANGES FOR  
2017 – INCLUDING ELIMINATING A PLAN, REMOVING OUT  
OF NETWORK BENEFITS, RATE AND OTHER PLAN CHANGES

ELECTED TO MARKET STOP LOSS BENEFITS FOR THE 2017 PLAN  
YEAR



# STOP LOSS RESULTS

- **HOLMES MURPHY RECEIVED BIDS FROM 5 STOP LOSS VENDORS**
  - Firm and final fixed costs
- **7 VENDORS DECLINED TO QUOTE – NON COMPETITIVE**
- **NARROWED DOWN QUOTES**
  - Fixed costs
  - Risk

# STOP LOSS OPTIONS\*

|                                     | INFORCE   | RENEWAL   | Option 1    | SA Benefits          | SA Benefits          | SA Benefits             | SA Benefits |
|-------------------------------------|-----------|-----------|-------------|----------------------|----------------------|-------------------------|-------------|
| Vendor Name                         | HCC       | HCC       | Aetna       | PartnerRe - Option 1 | PartnerRe - Option 4 | HM Life Ins. - Option 1 | RMTS        |
| Fixed Costs +/- Current Annual      | \$0.00    | \$100,279 | \$701,219   | \$176,692            | \$435,581            | \$252,080               | \$671,445   |
| Percentage +/- Current              | 0.0%      | 15.3%     | 106.8%      | 26.9%                | 66.3%                | 38.4%                   | 102.3%      |
| Estimated Annual Fixed Expenses     | \$656,546 | \$756,824 | \$1,357,764 | \$833,238            | \$1,092,127          | \$908,625               | \$1,327,991 |
| Difference to Budget Fixed Expenses | -         | \$23,684  | \$624,624   | \$100,098            | \$358,987            | \$175,485               | \$594,851   |
|                                     |           |           |             |                      |                      |                         |             |
| SPECIFIC RETENTION                  | \$190,000 | \$190,000 | \$190,000   | \$190,000            | \$190,000            | \$190,000               | \$225,000   |
| Contract                            | 15/12     | 15/12     | Paid        | 15/12                | 24/12                | 24/12                   | 15/12       |

\*The City received 21 options from 5 different carriers. Above represents the most competitive of these quotes closest to inforce benefits.



# SELECTION CONSIDERATIONS

- **BUDGET SET AT \$733,000**
  - 15%
- **HCC RENEWAL WITH SAME TERMS 15.3%**
  - Increase over fixed cost budget of \$24,000
- **EXPLORE HCC OPTIONS FOR HIGHER ISL DEDUCTIBLE**





# HCC FIXED COST SUMMARY

|                                     | INFORCE   | RENEWAL   | Option 1  | Option 2  | Option 3   |
|-------------------------------------|-----------|-----------|-----------|-----------|------------|
| ISL Deductible                      | \$190,000 | \$190,000 | \$200,000 | \$225,000 | \$250,000  |
| Fixed Costs +/- Current Annual      | \$0       | \$100,279 | \$58,950  | -\$20,535 | -\$101,393 |
| Percentage +/- Current              | 0.0%      | 15.3%     | 9.0%      | -3.1%     | -15.4%     |
| Estimated Annual Fixed Expenses     | \$656,546 | \$756,824 | \$715,496 | \$636,011 | \$555,153  |
| Difference to Budget Fixed Expenses | -         | \$23,684  | -\$17,644 | -\$97,129 | -\$177,987 |



# **HCC ADDITIONAL LASER LIABILITY**

- **LASER 1 – SET AT \$400,000**
- **LASER 2 – SET AT \$400,000 – WILL RAISE TO \$750,000 IF A SPECIFIC PROCEDURE OCCURS**
- **LASER 3 - \$400,000 FOR ONE SPECIFIC PROCEDURE**



# RECOMMENDATION/NEXT STEPS

## ACCEPT HCC RENEWAL

**\$190,000 DEDUCTIBLE WITH 15.3% INCREASE**

**\$200,000 DEDUCTIBLE WITH 9.0% INCREASE**

## SIGN CONTRACT

**PLAN EFFECTIVE 01/01/2017**





HOLMES MURPHY®

THINKING AHEAD

*Any Questions?*





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**  
**FROM: Lesli Andrews, Director of Community Services**

**Ordinance & Public Hearing: (Final Reading) Approving the Standards of Care for**  
**SUBJECT: 2017. (Lesli Andrews)**

---

**GENERAL INFORMATION**

In August of 1997 the 74th Legislature enacted Section 42.041(14) of the Texas Human Resources Code, which exempts youth programs operated by a municipality from state child-care licensing requirements. The Texas Human Resources Code provides that in order for a municipality to be exempt from the state's licensing requirements, the governing body of the municipality must annually adopt standards of care by ordinance after a public hearing. The major difference in the City's standards is that we have established standards for 6-13 years of age, whereas the state's standard is for 0-6 years of age, a population we do not serve.

**SPECIAL CONSIDERATIONS**

The Standards of Care require three inspections/review levels be performed each year to insure compliance. The first level is performed by the Recreation Coordinator to confirm adherence to the Standards themselves. The second is a visual inspection of the facilities to be conducted by the program Administrator with the assistance of a Parks and Recreation Professional not associated with the City of Abilene. That visual inspection was conducted on October 27, 2016. The Parks and Recreation Professional who assisted was Shane Mize from City of Missouri City, Texas. The third level is an annual inspection by both the Fire Department and Environmental Health. All of these inspections and reviews were satisfactorily completed and the program is in compliance. A copy of the Standards of Care will be online for additional access.

**FUNDING/FISCAL IMPACT**

No funding or fiscal impact.

**STAFF RECOMMENDATION**

Staff is recommending approval of this item.

**BOARD OR COMMISSION RECOMMENDATION**

The City of Abilene Parks and Recreation Board approved the Standards of Care at the board meeting held on November 1, 2016.

**ATTACHMENTS:**

| Description                   | Type            |
|-------------------------------|-----------------|
| ▣ Standards of Care Ordinance | Ordinance       |
| ▣ Standards of Care 2017      | Exhibit         |
| ▣ Letter                      | Backup Material |
| ▣ Presentation                | Presentation    |

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, ESTABLISHING  
STANDARDS OF CARE FOR CITY OF ABILENE YOUTH PROGRAMS;  
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN  
CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND  
CALLING A PUBLIC HEARING.**

**WHEREAS**, the City of Abilene, through the Division of Recreation, provides youth programs that contribute to the overall wellbeing of youth and families of the City of Abilene; and

**WHEREAS**, these youth programs are presently held at the Recreation Centers and designated school sites; and

**WHEREAS**, the 74th Legislature enacted Section 42.041(b)(14) of the Texas Human Resources Code, which would exempt youth programs operated by a municipality from child-care state licensing requirements provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing; and

**WHEREAS**, The City of Abilene has had Standards of Care in place for sixteen years which have functioned well; and

**WHEREAS**, Abilene Parks and Recreation Board the Administrator of Recreation for the City of Abilene recommends that the Standards of Care as set forth in Exhibit "A" be adopted by the City of Abilene:

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

- Section 1.** That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.
- Section 2.** That the Youth Programs' Standards of Care for the City of Abilene, as detailed in Exhibit "A" attached hereto and incorporated herein for all purposes, are hereby approved and adopted.
- Section 3.** That all ordinances or parts of ordinances in conflict with the provisions of the ordinance are hereby repealed.
- Section 4.** That, if any provision of this ordinance will be held to be invalid or unconstitutional, the remainder of such ordinance will continue in full force and effect, the same as if such invalid or unconstitutional provision had never been a part hereof.

**Section 5.** That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

**PASSED ON FIRST READING this 1st day of December, 2016.**

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 11th day of December 2016, to permit the public to be heard prior to final consideration of this ordinance.

**PASSED ON SECOND AND FINAL READING this 15th day of December 2016.**

**ATTEST:**

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norman Archibald, Mayor

**APPROVED:**

\_\_\_\_\_  
Stanley Smith, City Attorney



# City of Abilene Recreation Division



# Standards of Care for Youth Programs 2017

Community Services Office  
633 Walnut Street  
Abilene, TX 79601  
(325) 676-6217

[www.abilenetx.com/parksandrec](http://www.abilenetx.com/parksandrec)  
[parksandrec@abilenetx.com](mailto:parksandrec@abilenetx.com)

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# ABILENE YOUTH PROGRAMS

## STANDARDS OF CARE

The following Standards of Care have been adopted pursuant to Texas Human Resources Code Section 42.041 (b) (14). The Standards of Care are the minimum standards by which the City of Abilene Recreation Division will operate the City's Youth Programs.

### General Administration

#### *1. Organization*

- A. The governing body of the City of Abilene Youth Programs is the Abilene City Council.
- B. Implementation of the Youth Program's Standards of Care is the responsibility of the Recreation Administrator and departmental employees.
- C. Youth Programs ("Program") to which these Standards apply are the programs held at the City Recreation Centers and designated school sites currently operated by the City of Abilene. Other programs may be subsequently designated by the City of Abilene.
- D. Each of the City of Abilene Youth Program sites will have a current copy of the Standards of Care available for public and staff review.
- E. Parents of participants will be provided a current copy of the Standards of Care during the registration process or the Standards of Care can be accessed on the City of Abilene website at [www.abilenetx.com/parksandrec](http://www.abilenetx.com/parksandrec). Parents of participants will be informed that the City of Abilene Youth Programs is not licensed by the State.
- F. Criminal background checks will be conducted on prospective Youth Program employees. If results of the criminal checks indicate that an applicant has been arrested for any of the following offenses, he or she may not be considered for employment:
  - (1) A felony or a misdemeanor classified as an offense against a person;
  - (2) A felony or misdemeanor classified as public indecency;
  - (3) A felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance or any violation of the City Policy;
  - (4) Any offense involving moral turpitude;
  - (5) Any offense that would potentially put the City of Abilene or participants of the Program at risk.

## *2. Definitions*

- A. City: City of Abilene.
- B. City Council: City Council of the City of Abilene.
- C. Department: Community Services Department of the City of Abilene.
- D. Director: City of Abilene Director of Community Services Department or designee.
- E. Division: Recreation Services Division of the City of Abilene.
- F. Employee: Someone who has been employed by the City of Abilene and has been assigned responsibility for managing, administering, or implementing some portion of the City of Abilene Youth Programs.
- G. Parent(s): A parent or guardian who has legal custody and authority to enroll a child in the City of Abilene Youth Programs.
- H. Participant: A youth whose parent has completed all required registration procedures and who has been determined to be eligible for the City of Abilene Youth Programs.
- I. Program Manual: A notebook of policies, procedures, required forms, and organizational and programming information relevant to City of Abilene's Youth Programs.
- J. Program Site: Any area or facility where the City of Abilene Youth Programs is held.
- K. Recreation Coordinator: City of Abilene Recreation Division full-time Programmer who has been assigned administrative responsibility for the City of Abilene Youth Programs.
- L. Recreation Specialist or Recreation Leader: Any City of Abilene Recreation Division employee (full-time or part-time) who has been assigned responsibility to implement the City of Abilene Youth Programs.
- M. Playground Supervisor or Playground Aide: Any City of Abilene Recreation Division temporary employee who has been assigned responsibility to implement the City of Abilene Youth Programs.
- N. Administrator: City of Abilene Administrator of Recreation Services or his or her designee.
- O. Youth Program(s) or Program: City of Abilene Youth Programs held at the City's Recreation Centers and designated school sites currently operated by the City of Abilene. Other programs may be subsequently designated by the City of Abilene. These programs are not child-care facilities.



### *3. Objective of Youth Programs*

- A. To provide Youth with the opportunity of recreational activities which may include sports, games, arts and crafts, education, dance, drama, special events, field trips, etc...
- B. To provide an encouraging atmosphere by emphasizing the positive development of physical skills, emotional development, and growth of self-confidence.
- C. To provide a safe environment by promoting good health and welfare for all participants.
- D. To teach Youth how to spend leisure time wisely in an effort to meet the emotional, physical, and social needs of Youth.

### *4. Inspections/Monitoring/Enforcement*

- A. An annual facility inspection report will be initiated by the Recreation Coordinator of each Program to confirm adherence to the Standards of Care. This report will be submitted in March.
  - (1) Inspection reports will be sent to the Administrator for review and kept on record for at least two years.
  - (2) The Administrator will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Administrator will make visual inspections of the facilities, based on the following schedule. A Parks and Recreation Professional that is not associated with the City of Abilene will assist on one of the following inspections.
  - (1) A pre-summer check in April of each year; and
  - (2) A fall check in October of each year.
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Recreation Coordinator. The Recreation Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Recreation Coordinator and forwarded to the Administrator, the complaint and the resolution will be noted.
- D. The Administrator will provide an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

## *5. Enrollment*

- A. Before a child may be enrolled, a parent/guardian must sign registration forms that contain:
- (1) Name, address, and telephone number of the child;
  - (2) Name and address of parents/guardian and telephone numbers during program hours;
  - (3) The names and telephone numbers of people to whom the child may be released;
  - (4) A statement of the child's special needs;
  - (5) Proof of residency, when appropriate; and
  - (6) A liability waiver which also includes permission for field trips and emergency medical authorization.

## *6. Suspected Abuse*

Program employees will report suspected child abuse in accordance with the Texas Family Code. In a situation where an Employee is involved in an incident with a child that could be considered child abuse, the incident shall immediately be reported to the Recreation Supervisor. The Recreation Supervisor will immediately notify the Police Department and any other agency, as may be appropriate.

## Staffing – Responsibilities and Training

### *1. Recreation Center Coordinators*

- A. Qualifications
1. Recreation Coordinators will be full-time, professional employees of the City of Abilene Recreation Division
  2. Recreation Coordinators must meet the minimum education/experience requirements for employment with the City of Abilene to plan and implement recreation activities.
  3. Recreation Coordinators must be able to pass a background investigation, including testing for illegal substances.
  4. Recreation Coordinators have successfully completed a course in First-Aid and Cardiopulmonary Resuscitation (CPR) offered by American Red Cross and/or American Heart Association.
  5. Recreation Coordinators must communicate effectively with the public.
  6. Recreation Coordinators must complete City of Abilene mandatory training.

B. Job Functions

1. Recreation Coordinators are responsible for administering the Youth Programs daily operations in compliance with the Adopted Standards of Care.
2. Recreation Coordinators are responsible for hiring, supervising, and evaluating Recreation Specialist/Leaders.
3. Recreation Coordinators are responsible for planning, implementing, and evaluating programs.
4. Recreation Coordinators maintain supplies, equipment and all necessary documentation for the operation of the Youth Programs.
5. Recreation Coordinators must communicate with Parent(s) as necessary.
6. Recreation Coordinators provide reports to Recreation Supervisor on a weekly basis regarding Youth Program activities.
7. Recreation Coordinators know and follow all City of Abilene, Division, and Program Manual standards, policies and procedures that apply to Youth Programs.
8. Recreation Coordinators ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

*2. Recreation Specialist, /or Recreation Leaders*

A. Qualifications

1. Recreation Specialist/Leaders may be full-time, part-time, or temporary employees of the City of Abilene Recreation Division.
2. Recreation Specialist/Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Recreation Specialist/Leaders must relate to children with courtesy, respect, tolerance, and patience.
4. Recreation Specialist/Leaders must have successfully completed a course in First-Aid and Cardiopulmonary Resuscitation (CPR) offered by American Red Cross and/or American Heart Association.
5. Recreation Specialist/Leaders must pass a background investigation, including testing for illegal substances.

6. Recreation Specialist/Leaders will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.

B. Job Functions

1. Recreation Specialist/Leaders will be responsible for providing participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
2. Recreation Specialist/Leaders will directly lead activities using a method that will provide opportunities for involvement of all participants on an equal basis.
3. Recreation Specialist/Leaders must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
4. Recreation Specialist/Leaders will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
5. Recreation Specialist/Leader must be with participants at all times while they are participating in the Program.
6. Recreation Specialist/Leaders ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

*3. Playground Supervisor and/or Playground Aide*

A. Qualifications

1. Playground Supervisor/Aides may be full-time, part-time, or temporary employees of the City of Abilene Recreation Division.
2. Playground Supervisor/Aides should be able to consistently exhibit competency, good judgment, and self-control when working with children.
3. Playground Supervisor/Aides must relate to children with courtesy, respect, tolerance, and patience.
4. Playground Supervisor/Aides must pass a background investigation, including testing for illegal substances.
5. Playground Supervisor/Aides will be responsible for understanding and following all City of Abilene, Departmental, Division, and Program standards, policies, and procedures that apply to the City of Abilene Youth Programs.



B. Job Functions

1. Playground Supervisor/Aides will assist in leading activities using a method that will provide opportunities for involvement of all participants on an equal basis.
2. Playground Supervisor/Aides must exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
3. Playground Supervisor/Aides will promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
4. Playground Supervisor/Aides will be responsible for picking-up the areas used by their group area each activity.
5. Playground Supervisor/Aides must be with participants at all times while they are participating in the Program.
6. Playground Supervisor/Aides ensure that participants are released only to a Parent(s) or an adult designated by the Parent(s).

*4. Training/Orientation*

- A. The Division is responsible for providing training and orientation to Program employees in working with children and for specific job responsibilities. Recreation Coordinators will provide each Recreation Specialist/Leaders and Playground Supervisor/Aides with a Program manual specific to each Youth Program.
- B. Program employees must be competent with the Standards of Care for Youth Program operation as adopted.
- C. Program employees must be competent with the Program's policies, including discipline, guidance, and release of participants as outlined in the Summer Playground Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, Division and Program policies and procedures; provision of recreation activities; safety issues; and organization.

## Operations

### *1. Staff-Participant Ratio*

- A. The City of Abilene Youth Programs, the minimum employee to participant ratio will be 1 to 20 for participants from ages 6-13.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.

### *2. Notification*

- A. Parents must be notified immediately when Program employees are aware of the following:
  - (1) Participant is injured; or
  - (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, and/or illness).
- B. All parents must be notified if there is an outbreak of any communicable disease. The disease will be reported to the Abilene Taylor County Public Health District.

### *3. Discipline*

- A. Program employees will implement discipline and guidance in a consistent manner, based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the activity if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parents of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident. Copies of these reports will be kept on file with the Administrator.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended and/or expelled from the Program.
- F. In instances where there is a danger to other participants or staff, offending participants will be removed from the Program site as soon as possible.

- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site will be subject to ejection from the site and possible arrest and legal action.

#### *4. Programming*

- A. Program employees will provide activities for each group according to the participants' ages, interests, and abilities. The activities will be appropriate to participants' health, safety, and well-being. The activities also will be flexible and designed to promote the participants' emotional, social, and mental growth.
- B. Program employees will provide indoor and outdoor time periods to include:
  - (1) Alternating active and passive activities;
  - (2) Opportunity for individual and group activities; and
  - (3) Outdoor time each day that weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program. Participants must be counted before leaving the Program Site and before boarding the transportation to return to the Program Site.
  - (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
  - (2) Program employees will have transportation cards of the participants in the group and must check the roll frequently.
  - (3) Program employees should have First-Aid supplies and a guide to First-Aid and emergency care available on field trips.
  - (4) Notice of any field trips will be displayed at a prominent location at each Program site.

#### *5. Communication*

- A. Each Program site will have access to a telephone for use in contacting the Recreation Center or making emergency calls.
- B. The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
  - (1) Ambulance or emergency medical services.

- (2) City of Abilene Police Department.
- (3) City of Abilene Fire Department.
- (4) Poison control.
- (5) The telephone number for the site itself.
- (6) Numbers at which parents/guardian may be reached.

#### *6. Transportation*

- A. First- Aid supplies and a First-Aid emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a 6-BC portable fire extinguisher located in the passenger compartment of the vehicle which will be accessible to the adult occupants.
- C. Transportation cards with the names and telephone numbers of participants' parents and physicians will be available in all Program vehicles that transport participants.

### Facility Standards

#### *1. Safety*

- A. Program employees will inspect Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants. A monthly inspection report will be completed by the Program staff and kept on file at the center.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies should be safe for the participants use.
- D. Program employees should have First-Aid supplies available at each site, during transportation and for the duration of any off-site activity.
- E. Program employees should have first-aid supplies readily available to staff in a designated location. Program employees should have an immediately accessible guide to First-Aid and emergency care.
- F. Program air conditioners, electric fans, and heaters should be mounted out of participants reach or have safeguards that keep participants from being injured.



## *2. Fire*

- A. In case of fire, danger of fire, explosion, or other emergency, Program employee's first priority is to evacuate the participants to a designated safe area.
- B. The Program site will have an annual fire inspection by the City of Abilene Fire Department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Administrator who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the City Council.
- C. Each Program site must have at least one (1) fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Recreation Center Coordinator, and a monthly report will be kept at the center, who will keep the report on file for a minimum of two years. All of the City of Abilene Youth Program employees will be trained in the proper use of fire extinguishers.

## *3. Health*

- A. Illness or Injury
  - (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
  - (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees. Paramedics will be notified in the event of an injury that cannot be remedied through basic first aid. An accident report shall be completed and forwarded to the Recreation Supervisor.
  - (3) An ill Youth will not be allowed to attend or participate if the Youth is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until a medical evaluation indicating that the Youth can return to the Youth Program.
  - (4) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
  - (5) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

B. Program employees will administer medication only if:

- (1) A parent/guardian completes and signs a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a “hold harmless” clause to protect the City.
- (2) Prescription medications are in the original containers labeled with the child’s name, a date, directions, and the physician’s name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expiration date.
- (3) Non-prescription medications are labeled with the child’s name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. The Program staff will administer it only according to label directions.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and Program employees can supervise as needed.
- (2) There must be at least one flush toilet for every thirty (30) children. Urinals may be counted in the ratio of toilets to children but must not exceed fifty percent (50%) of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water, meeting the standards of the Texas Department of Health for drinking water, and

ensure that it will be supplied to the participants in a safe and sanitary manner.

- (3) Program employees must see that garbage is removed from Program sites daily.
- (4). The Program site will have an annual health inspection by the City of Abilene Health Department, and the resulting report will detail any health concerns observed. The report will be kept on file at the center. Information from this report will be included in the Director's annual report to the City Council.

#### *4. Participants*

- A. All participants must wear tennis shoes daily. Sandals or flip flops are not permitted.
- B. Shoes must be worn at all times, unless the Youth is in the swimming pool or participating in an activity that requires no shoes to be worn.
- C. Youth must respect the Employees, Program Site, and each other.



**Shane Mize – Recreation Superintendent**

Parks and Recreation  
1522 Texas Parkway  
Missouri City, Texas 77489

Phone: 281-403-8634  
smize@missouricitytx.gov

10/28/16

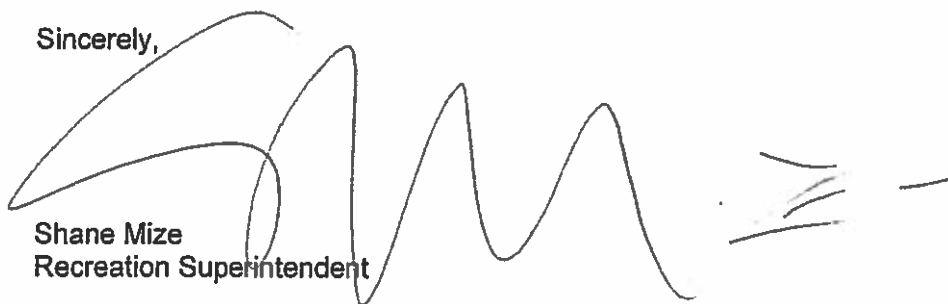
Jeff White  
Recreation/Senior Services Manager  
City of Abilene  
2625 S. 7<sup>th</sup> St, Abilene, TX 79605

Dear Mr. White,

Please accept this letter as a confirmation that Jason Mangum, Director of Parks and Recreation, and I toured the Recreation and Senior facilities for the city of Abilene and they met and in most cases exceeded all standards of care provided. We conducted our review on Thursday, October 27th and were impressed by the staff, the programming, and the level of service each facility was providing their constituents. We only found one fail in all the facilities we toured, and that was an out of date extinguisher that was accidentally skipped by a contractor the last time they were renewed. Even with that one extinguisher failure, the Rose Park Rec Center had more extinguishers up to code on the site than needed and that extinguisher can be pulled off the wall and still allow the minimum standard to be met for the city's safety offering.

We did provide some additional comments that we hope are helpful for any future review but all in all, we left the Abilene facilities very impressed and wanted to congratulate you on the job well done. If you or anyone else have follow up questions on this report or any of the facility review provided, please let me know.

Sincerely,



Shane Mize  
Recreation Superintendent

# Standards of Care Review

Recreation Center: ROSE REC CENTER

Date: 10/27/16 Inspector: SHANE MITCHELL & JASON MANUWAN

| SAFETY   | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| First Aid kit stocked with Band-Aids and other essential items | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| First Aid kit readily assessable in designated area            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Center Coordinators: CPR/First Aid Certified                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments:

| FIRE                                      | Yes                                 | No                                  |
|---|-------------------------------------|-------------------------------------|
| At least one fire extinguisher            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Fire Extinguishers were current           | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire Extinguishers locations were labeled | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Emergency Exit map posted                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Comments: LABEL ON THE WALL, EXT SIGN ON WALL AS WELL?  
SUGGESTIONS. ONE MISSED EXTINGUISHER

| COMMUNICATION                                | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| Emergency Contact Numbers Posted             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| EMS or Ambulance contact information posted  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police Department contact information posted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fire Department contact information posted   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Poison Control contact information posted    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Recreation Center contact information posted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments:

| REGISTRATION/ENROLLMENT   | Yes                                 | No                       |
|---|-------------------------------------|--------------------------|
| Name, Address and Telephone Number included                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Name, Address, and Telephone of parent during program hours         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Names and Telephone Numbers of people whom child may be released to | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Statement of child's special needs                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Signed copy of liability waiver                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Transportation forms contact information                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments: IN FILE CABINET



# Standards of Care Review

Recreation Center: SEARS REC CENTER

Date: 10/27/16 Inspector: <sup>NIZE</sup>  
SHANE & JASON MANKAM

| SAFETY   | Yes | No |
|--|-----|----|
| First Aid kit stocked with Band-Aids and other essential items | ✓   |    |
| First Aid kit readily assessable in designated area            | ✓   |    |
| Center Coordinators: CPR/First Aid Certified                   | ✓   |    |

Comments: FIRST AID KIT GOOD, LOOK TO REFRESH/STOCK

| FIRE                                      | Yes | No |
|---|-----|----|
| At least one fire extinguisher            | ✓   |    |
| Fire Extinguishers were current           | ✓   |    |
| Fire Extinguishers locations were labeled | ✓   |    |
| Emergency Exit map posted                 | ✓   |    |

Comments: WALL MOUNTED SIGNAGE, SIGNAGE IN GYM FOR EXIT?

| COMMUNICATION                                | Yes | No |
|--|-----|----|
| Emergency Contact Numbers Posted             | ✓   |    |
| EMS or Ambulance contact information posted  | ✓   |    |
| Police Department contact information posted | ✓   |    |
| Fire Department contact information posted   | ✓   |    |
| Poison Control contact information posted    | ✓   |    |
| Recreation Center contact information posted | ✓   |    |

Comments:

| REGISTRATION/ENROLLMENT   | Yes | No |
|---|-----|----|
| Name, Address and Telephone Number included                         | ✓   |    |
| Name, Address, and Telephone of parent during program hours         | ✓   |    |
| Names and Telephone Numbers of people whom child may be released to | ✓   |    |
| Statement of child's special needs                                  | ✓   |    |
| Signed copy of liability waiver                                     | ✓   |    |
| Transportation forms contact information                            | ✓   |    |

Comments:

# Standards of Care Review

Recreation Center: G.V. DANIELS REC CENTER

Date: 10/27/16 Inspector: SHANE MIZE / JASON MANGUM

| SAFETY   | Yes | No |
|--|-----|----|
| First Aid kit stocked with Band-Aids and other essential items | ✓   |    |
| First Aid kit readily assessable in designated area            | ✓   |    |
| Center Coordinators: CPR/First Aid Certified                   | ✓   |    |

Comments: AED LABELED

| FIRE                                      | Yes | No |
|---|-----|----|
| At least one fire extinguisher            | ✓   |    |
| Fire Extinguishers were current           | ✓   |    |
| Fire Extinguishers locations were labeled | ✓   |    |
| Emergency Exit map posted                 | ✓   |    |

Comments: WALL MOUNTED STICKER OR LABEL FOR FIRE

| COMMUNICATION                                | Yes | No |
|--|-----|----|
| Emergency Contact Numbers Posted             | ✓   |    |
| EMS or Ambulance contact information posted  | ✓   |    |
| Police Department contact information posted | ✓   |    |
| Fire Department contact information posted   | ✓   |    |
| Poison Control contact information posted    | ✓   |    |
| Recreation Center contact information posted | ✓   |    |

Comments: BEST WE SAW SO FAR

| REGISTRATION/ENROLLMENT   | Yes | No |
|---|-----|----|
| Name, Address and Telephone Number included                         | ✓   |    |
| Name, Address, and Telephone of parent during program hours         | ✓   |    |
| Names and Telephone Numbers of people whom child may be released to | ✓   |    |
| Statement of child's special needs                                  | ✓   |    |
| Signed copy of liability waiver                                     | ✓   |    |
| Transportation forms contact information                            | ✓   |    |

Comments:

# Standards of Care Review

Recreation Center: COBB REC CENTER

Date: 10/27/16 Inspector: SHANE WIZE & JASON MANGUM

| SAFETY   | Yes                                 | No |
|--|-------------------------------------|----|
| First Aid kit stocked with Band-Aids and other essential items | <input checked="" type="checkbox"/> |    |
| First Aid kit readily assessable in designated area            | <input checked="" type="checkbox"/> |    |
| Center Coordinators: CPR/First Aid Certified                   | <input checked="" type="checkbox"/> |    |

Comments:

| FIRE                                      | Yes                                 | No |
|---|-------------------------------------|----|
| At least one fire extinguisher            | <input checked="" type="checkbox"/> |    |
| Fire Extinguishers were current           | <input checked="" type="checkbox"/> |    |
| Fire Extinguishers locations were labeled | <input checked="" type="checkbox"/> |    |
| Emergency Exit map posted                 | <input checked="" type="checkbox"/> |    |

Comments:

| COMMUNICATION                                | Yes                                 | No |
|--|-------------------------------------|----|
| Emergency Contact Numbers Posted             | <input checked="" type="checkbox"/> |    |
| EMS or Ambulance contact information posted  | <input checked="" type="checkbox"/> |    |
| Police Department contact information posted | <input checked="" type="checkbox"/> |    |
| Fire Department contact information posted   | <input checked="" type="checkbox"/> |    |
| Poison Control contact information posted    | <input checked="" type="checkbox"/> |    |
| Recreation Center contact information posted | <input checked="" type="checkbox"/> |    |

Comments:

| REGISTRATION/ENROLLMENT   | Yes                                 | No |
|---|-------------------------------------|----|
| Name, Address and Telephone Number included                         | <input checked="" type="checkbox"/> |    |
| Name, Address, and Telephone of parent during program hours         | <input checked="" type="checkbox"/> |    |
| Names and Telephone Numbers of people whom child may be released to | <input checked="" type="checkbox"/> |    |
| Statement of child's special needs                                  | <input checked="" type="checkbox"/> |    |
| Signed copy of liability waiver                                     | <input checked="" type="checkbox"/> |    |
| Transportation forms contact information                            | <input checked="" type="checkbox"/> |    |

Comments:

MAJOR WALL LABEL FIRE EXTINGUISHERS & EMERGENCY EXIT

# 2017 Standards of Care

December 15, 2016



# Standards of Care

- The City of Abilene Standards of Care are for ages 6-13.
- The Standards of Care are for the Afterschool program and the Summer Playground program offered by the Recreation Division.
- The City maintains a 20 to 1 ratio of child to employee.





# Requirements

- Three annual inspections
  - Recreation Coordinator confirms adherence to the Standards themselves.
  - Visual inspection of the facility conducted by a Parks and Recreation Professional not associated with the City of Abilene.
  - Annual inspection by both the Fire Department and Environmental Health.
- City Council must annually adopt the Standards of Care by ordinance.
- Abilene Parks and Recreation Board approved the 2017 Standards of Care on November 1, 2016.



# Questions





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Stanley Smith, City Attorney**

**SUBJECT: Ordinance & Public Hearing: (Final Reading) Amending Chapter 20, Offenses, Article I, In General, Section 20-3, "Amplifiers, etc. Use on Premises" of the Abilene Code of Ordinances; providing a severability clause; declaring a penalty. (Stanley Smith)**

---

**GENERAL INFORMATION**

The City of Abilene adopted Ordinance Section 20-3, Amplifiers, etc. Use on Premises, in 1965. Section 20-3 regulates and prohibits the use of amplification devices on premises. The ordinance lacks a measureable standard to determine when and if a person violates the ordinance by his or her use of amplification. This lack of a measurable standard may render Section 20-3 unconstitutional under current First Amendment jurisprudence as being overbroad.

Litigation was recently initiated against the City of Abilene challenging the constitutionality of Section 20-3, Code of Ordinances. The litigation has been resolved.

The City has other applicable noise ordinances to regulate and prohibit unreasonable noise with the city limits. Specifically, Section 20-1, Code of Ordinances, regulates and prohibits unreasonable noise with the city limits.

Section 20-3, Code of Ordinances, should be removed in its entirety.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

The ordinance change would have little to no fiscal impact.

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

Not applicable.

**ATTACHMENTS:**

| Description         | Type         |
|---------------------|--------------|
| ☐ Ordinance Cover   | Ordinance    |
| ☐ Exhibit Redlined  | Cover Memo   |
| ☐ Ordinance Exhibit | Exhibit      |
| ☐ PowerPoint        | Presentation |

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE AMENDING CHAPTER 20, OFFENSES, ARTICLE I. IN GENERAL, SECTION 20-3, "AMPLIFIERS, ETC. USE ON PREMISES," OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.**

**WHEREAS**, the City of Abilene ("City") adopted an ordinance in 1965 regulating and prohibiting the use of amplification on premises; and

**WHEREAS**, the ordinance lacks a measureable standard to determine when and if a person violates the ordinance by his or her use of amplification; and

**WHEREAS**, such lack of a measurable standard may render the ordinance unconstitutional under current First Amendment jurisprudence; and

**WHEREAS**, litigation was initiated challenging the constitutionality of Section 20-3, Code of Ordinances, and the litigation has been resolved; and

**WHEREAS**, the City Council desires that all persons be able to exercise their First Amendment rights under the U.S. Constitution with minimal governmental intrusion; and

**WHEREAS**, the City has other applicable noise ordinances to regulate and prohibit unreasonable noise with the city limits; and

**WHEREAS**, Section 20-3, Code of Ordinances, should be removed.

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

**PART 1:** That Chapter 20, Article I, Sections 20-3, of the Code of Ordinances, City of Abilene, Texas, is hereby amended as set out in Exhibit A, attached and made a part of this ordinance for all purposes.

**PART 2:** That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.



**PART 3:** That any person, firm, or corporation violating the provisions of this Ordinance, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.

Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

**PASSED ON FIRST READING this 1<sup>st</sup> day of December, 2016.**

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 11<sup>th</sup> day of December, 2016, 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 15<sup>th</sup> day of December, 2016, to permit the public to be heard. 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 15<sup>th</sup> day of December, 2016.**

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

## EXHIBIT A

### Chapter 20

### OFFENSES

#### ARTICLE I. IN GENERAL

Sec. 20-3. Reserved. ~~Sec. 20-3. — Amplifiers, etc. Use on premises.~~

~~No person shall use or operate or cause to be used or operated any mechanical or electrical device, machine, apparatus or instrument to produce, intensify or to amplify or reproduce the human voice, or to produce, reproduce, intensify or amplify any other sound, in any building or on any premises in the city whereby the sound therefrom is cast directly upon any public street or where such device is maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public, or which is so placed or operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of travelers upon any street or public place, or of persons in neighboring premises.~~

~~(Code 1965, § 19-25)~~

**EXHIBIT A**

**Chapter 20**

**OFFENSES**

**ARTICLE I. IN GENERAL**

**Sec. 20-3.      Reserved.**

# Section 20-3, Use of Amplification

1. Section 20-3 regulates and prohibits the use of amplification devices on premises.
2. The ordinance lacks a measureable standard to determine when and if a person violates the ordinance by his use of amplification.
3. This lack of a measurable standard may render the ordinance unconstitutional under current First Amendment jurisprudence as being overbroad.
4. The City has other noise ordinances to regulate and prohibit unreasonable noise with the city limits.
5. Section 20-3, Code of Ordinances, should be removed in its entirety.





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO:** Robert Hanna, City Manager

**FROM:** Michael Rice, P.E. Director of Public Works

**SUBJECT:** Ordinance & Public Hearing: (Final Reading) To amend Chapter 18-289 designating one-way streets. (*Michael Rice*)

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**GENERAL INFORMATION**

The City of Abilene and the Texas Department of Transportation have made several changes to the Frontage Roads, and City Streets to make them one-way. As a result there is a need to update the city code to include these changes and provide an accurate list of all current one-way streets.

**SPECIAL CONSIDERATIONS**

The City of Abilene Traffic Services division does not classify access ramps as one way streets.

**FUNDING/FISCAL IMPACT**

No funding is required and no fiscal impact is anticipated.

**STAFF RECOMMENDATION**

Traffic Services recommends approval of this item.

**BOARD OR COMMISSION RECOMMENDATION**

N/A

**ATTACHMENTS:**

| Description                    | Type         |
|--------------------------------|--------------|
| ❑ Ordinance-Red Line Version   | Ordinance    |
| ❑ Updated ordinance            | Ordinance    |
| ❑ One Way Streets Map Overview | Exhibit      |
| ❑ Presentation                 | Presentation |



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 18, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE XIII, “SCHEDULES,” SECTION 18-289, “ONE-WAY STREETS-AT ALL TIMES,” OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY**

**WHEREAS**, most highway frontage roads within the City of Abilene have been transitioned to become one-way streets; and

**WHEREAS**, there is a need to update the city code to include these changes and provide an accurate list of all current one-way streets.

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

**PART 1:** That Chapter 18, Article XIII, Section 18-289 of the Abilene Municipal Code be amended as set out in Exhibit “A”, attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

**PART 3:** That any persons, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine in accordance with Chapter 1 (Section 1-9) of this Code. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

**PASSED ON FIRST READING this 1st day of December, 2016.**

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 \_\_\_\_ day of \_\_\_\_\_, 2016, 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 15<sup>th</sup> day of December, 2016, to permit the public to be heard.

**PASSED ON SECOND AND FINAL READING this 15<sup>th</sup> day of December, 2016.**

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

---

CITY ATTORNEY

### Exhibit A

#### Sec. 18-289. One-way streets—At all times.

In accordance with the provisions of this chapter, and when properly signposted, traffic shall move only in the direction indicated upon the following streets or portions of streets:

| <u>Street</u>    | <u>Extent</u>   | <u>Direction</u> |
|------------------|---|------------------|
| North 2nd St.    | From Walnut to Grape Sts.   | West             |
| South 2nd St.    | From Oak to Chestnut Sts.   | West             |
| North 3rd St.    | From Grape St. to Walnut St.  | East             |
|                  | <del>From the unnamed connector street immediately west of Mulberry St. to Walnut St.</del> |                  |
| North 4th St.    | From Walnut St. to Grape St.  | West             |
|                  | <del>From Walnut St. to the unnamed connector street immediately west of Mulberry St.</del> |                  |
| North 5th St.    | From the North 6 <sup>th</sup> /5 <sup>th</sup> St. split to Plum St.                       | East             |
|                  | <del>From the southern continuation of Victoria St. to Plum St.</del>                       |                  |
| North 6th St.    | From Hickory St. to North 6th/5th St split.   | West             |
|                  | <del>From Hickory to Victoria Sts.</del>  |                  |
| North 10th St.   | From Grape to Park Sts.   | East             |
| North 11th St.   | From Grape to Park Sts.   | West             |
| Butternut St.    | <del>From 150 feet north of South 24th St. to 100 feet south of South 24th St.</del>        | <del>South</del> |
| Chestnut St.     | From South 1st to South 7th Sts.  | South            |
| Clack Dr., North | From Vogel St. to Ambler Ave.   | South            |
|                  | From Ramp to N. 3 <sup>rd</sup> St.   |                  |

|                      |   |                      |
|----------------------|---|----------------------|
|                      | <del>From Ambler Ave. off-ramp to the North 1st St. on-ramp</del> |                      |
| Clack Dr., South     | From Taos Dr. to FM 707.  | South                |
|                      | <del>From Southwest Dr. to Buffalo Gap Rd.</del>                  | <del>Southeast</del> |
|                      | <del>From Taos St. to Canyon Rock Rd.</del>                       | <del>South</del>     |
| Cypress St.          | From North 1st to North 6th Sts.                                  | North                |
| Danville Dr., North  | From the North 1st St. off-ramp to West Stamford St.              | North                |
| Danville Dr., South  | From Buffalo Gap Rd. to S. 1 <sup>st</sup> St.                    | North                |
|                      | From Crawford St. to Industrial Blvd.                             | North                |
|                      | <del>From Buffalo Gap Rd. to Steffens St.</del>                   | <del>North</del>     |
| Hickory St.          | From North 1st to North 2nd Sts.                                  | North                |
| Oak St.              | From South 1st to South 4th Sts.                                  | North                |
| Orange St.           | From North 1st to North 2nd Sts.                                  | South                |
| Overland Trail, West | From the Pine St. off-ramp to North Danville Drive                | West                 |
|                      | From Clack St. to West City Limits                                | West                 |
|                      | <del>From Pine St. off-ramp to Old Anson Rd.</del>                | <del>West</del>      |
| Overland Trail, East | From North Danville Drive to FM 600 (West Lake Road)              | East                 |
|                      | From FM 600 (West Lake Road) to Loop 322                          | East                 |
| Parking Cr., Lower   | From west end to east end   | East                 |
| Parking Cr., Upper   | From west end to east end   | East                 |
| San Jose Dr., North  | From North 10th St. to Pioneer Dr.                                | North and East       |
| Stamford St., West   | From Danville Dr. to FM 600 (West Lake Rd.)                       | East                 |
|                      | From FM 600 (West Lake Rd.) to Loop 322                           | East                 |
|                      | <del>From Danville Dr. to the Pine St. on-ramp</del>              | <del>East</del>      |
| Stamford St., East   | From Lytle Creek Dr. to Maple St.                                 | South                |
|                      | From Maple St. to Oldham Ln.                                      | North                |

|   |  |                      |
|---|--|----------------------|
| Loop 322 Access Rd, South                         | From Lytle Creek Dr. to Maple St.  | South                |
| Loop 322 Access Rd, North                         | From Maple St. to Oldham Ln.   | North                |
| Unnamed connector street                          | From the western continuation of North 3rd St. at Grape St. to North 3rd St. at Mulberry St.                     | East                 |
| Unnamed connector street                          | From North 4th St. at Mulberry St. to the western continuation of North 3rd St. at Grape St.                     | West                 |
| Unnamed connector street                          | From Orange Street at North 1st Street to Butternut Street at South 1st Street                                   | South                |
| Unnamed connector street                          | From Butternut Street at South 1st Street to Hickory Street at North 1st Street                                  | North                |
| Unnamed connector street                          | From North 6th Street at Victoria Street to North 5th Street at the northern continuation of Victoria Street     | Southeast            |
| Unnamed connector street                          | From U.S. 277 to Dub Wright Blvd.  | Northwest            |
| Unnamed connector street                          | From Dub Wright Blvd. to U.S. 277  | Southeast            |
| Unnamed connector ramps east of Mockingbird Blvd. | From Mockingbird Blvd. at South 2nd to South 1st Street  | North                |
|   | From North 1st Street to Mockingbird Blvd. at North 2nd Street   | North                |
| Unnamed connector ramps west of Mockingbird Blvd. | From Mockingbird Blvd. at North 2nd Street to North 1st Street   | South                |
|   | From South 1st Street to Mockingbird Blvd. at South 2nd Street   | South                |
| Unnamed connector ramp                            | From unnamed connector street leading from Pine Street to Chestnut Street to South 1st Street at Chestnut Street | Clockwise            |
| Unnamed connector street                          | From North 1st Street at Pine Street to Chestnut Street at South 2nd Street                                      | South                |
| Unnamed connector street                          | From Oak Street at South 2nd Street to Pine Street at North 1st Street   | North                |
| Unnamed connector ramp                            | From Pine Street at North 1st Street to South 1st Street at Chestnut Street                                      | South then West      |
| Unnamed connector ramp                            | From South 1st Street at Oak Street to Pine Street at North 1st  | West then North      |
| Unnamed connector ramp                            | From South 1st Street at Oak Street to the unnamed connector street leading from Oak Street to Pine Street       | South then Clockwise |

~~Victoria St., West~~

~~From North 6th to North 5th Sts.~~

~~South~~



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 18, “MOTOR VEHICLES AND TRAFFIC,” ARTICLE XIII, “SCHEDULES,” SECTION 18-289, “ONE-WAY STREETS-AT ALL TIMES,” OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY**

**WHEREAS**, most highway frontage roads within the City of Abilene have been transitioned to become one-way streets; and

**WHEREAS**, there is a need to update the city code to include these changes and provide an accurate list of all current one-way streets.

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

**PART 1:** That Chapter 18, Article XIII, Section 18-289 of the Abilene Municipal Code be amended as set out in Exhibit “A”, attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

**PART 3:** That any persons, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine in accordance with Chapter 1 (Section 1-9) of this Code. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

**PASSED ON FIRST READING this 1st day of December, 2016.**

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 \_11<sup>th</sup>\_ day of December, 2016, 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 15<sup>th</sup> day of December, 2016, to permit the public to be heard.

**PASSED ON SECOND AND FINAL READING this 15<sup>th</sup> day of December, 2016.**

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

---

CITY ATTORNEY

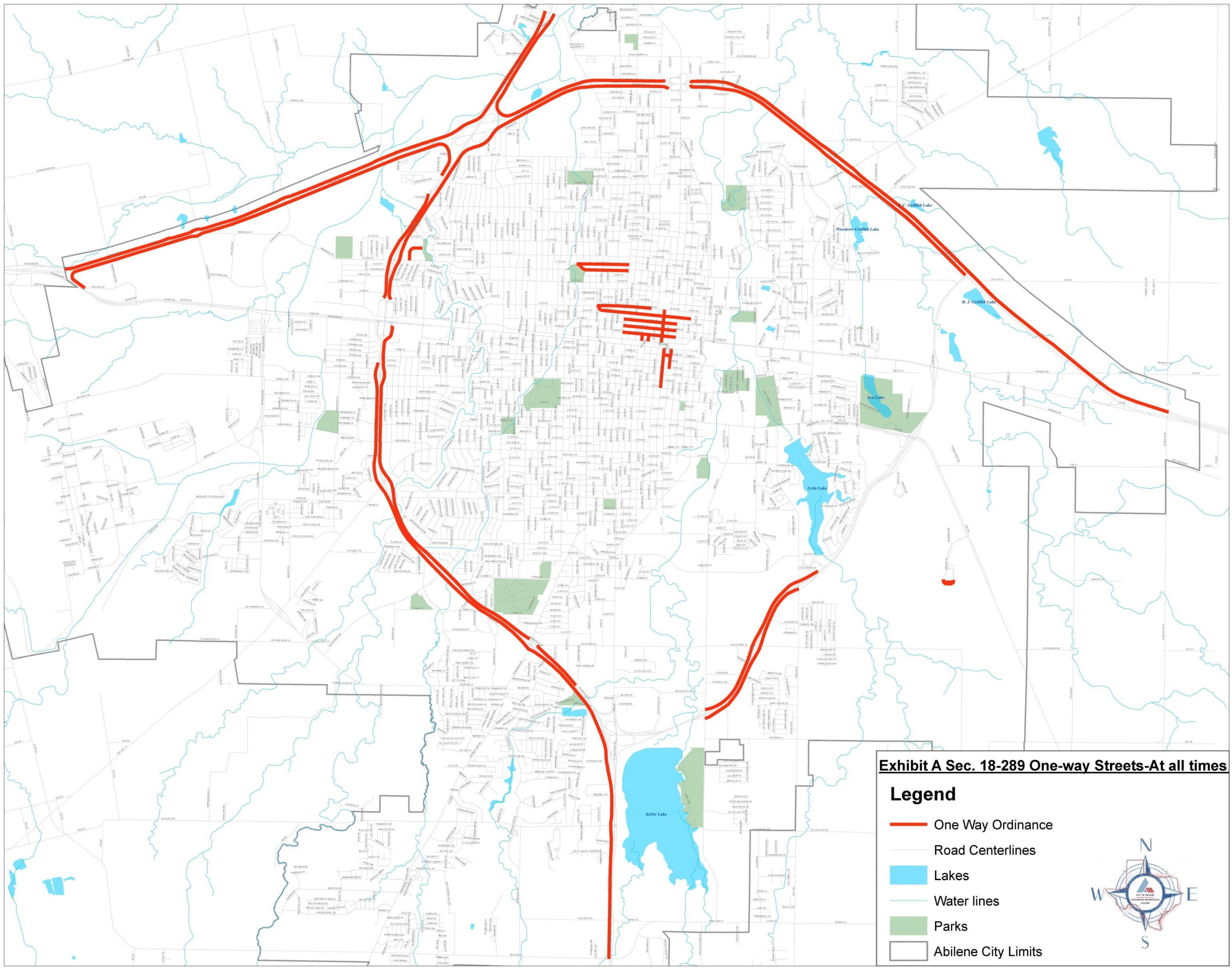
## Exhibit A

### Sec. 18-289. One-way streets—At all times.

In accordance with the provisions of this chapter, and when properly signposted, traffic shall move only in the direction indicated upon the following streets or portions of streets:

| <u>Street</u>        | <u>Extent</u>  | <u>Direction</u> |
|----------------------|--|------------------|
| North 2nd St.        | From Walnut to Grape St.   | West             |
| South 2nd St.        | From Oak to Chestnut St.   | West             |
| North 3rd St.        | From Grape to Walnut St.   | East             |
| North 4th St.        | From Walnut St. to Grape St.   | West             |
| North 5th St.        | From the North 6 <sup>th</sup> /5 <sup>th</sup> St split to Plum St. | East             |
| North 6th St.        | From Hickory St. to North 6th/5th St split.                          | West             |
| North 10th St.       | From Grape to Park St.   | East             |
| North 11th St.       | From Grape to Park St.   | West             |
| Chestnut St.         | From South 1st to South 7th St.                                      | South            |
| Clack Dr., North     | From Old Anson Rd. to West Overland Trail                            | South            |
|                      | From Vogel St. to Ambler Ave.  | South            |
|                      | From Ramp to N. 3 <sup>rd</sup> St.                                  | South            |
|                      | From Ambler Ave. off-ramp to the North 1st St. on-ramp               | South            |
| Clack Dr., South     | From Taos Dr. to FM 707.   | South            |
| Cypress St.          | From North 1st to North 6th St.                                      | North            |
| Danville Dr., North  | From the North 1st St. off-ramp to West Stamford St.                 | North            |
| Hickory St.          | From North 1st to North 2nd St.                                      | North            |
| Oak St.              | From South 1st to South 4th St.                                      | North            |
| Orange St.           | From North 1st to North 2nd St.                                      | South            |
| Overland Trail, West | From the Pine St. off-ramp to North Danville Drive                   | West             |
|                      | From Clack St. to West City Limits                                   | West             |
| Overland Trail, East | From North Danville Drive to FM 600 (West Lake Road)                 | East             |
|                      |  | East             |

|                           |   |                   |
|---------------------------|---|-------------------|
|                           | From FM 600 (West Lake Road) to Loop 322    |                   |
| Parking Cr., Lower        | From west end to east end                   | East              |
| Parking Cr., Upper        | From west end to east end                   | East              |
| San Jose Dr., North       | From North 10th St. to Pioneer Dr.          | North and<br>East |
| Stamford St., West        | From Danville Dr. to FM 600 (West Lake Rd.) | East              |
|                           | From Vogel St. to Old Hwy 80                | West              |
| Stamford St., East        | From FM 600 (West Lake Rd.) to Loop 322     | East              |
| Loop 322 Access Rd, South | From Lytle Creek Dr. to Maple St.           | South             |
| Loop 322 Access Rd, North | From Maple St. to Oldham Ln.                | North             |



**Exhibit A Sec. 18-289 One-way Streets-At all times**

**Legend**

- One Way Ordinance
- Road Centerlines
- Lakes
- Water lines
- Parks
- Abilene City Limits





# One-Way Roadways

Requested Ordinance Change to update one-way roadways as described within Chapter 18, Article XIII, Section 18-289 of the Abilene Municipal Code



# One-Way Roadways

- The City of Abilene and the Texas Department of Transportation have made several changes to the Frontage Roads, and City Streets to make them one-way.
- There is a need to update the city code to reflect these changes and provide an accurate list of all one-way streets.





**City Council  
Agenda Memo**

**City Council Meeting Date: 12/15/2016**

**TO: Robert Hanna, City Manager**

**FROM: Stanley Smith, City Attorney**

**SUBJECT: Resolution: Authorizing City Manager to transfer land to Taylor County, Texas for a Public Purpose.**

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**GENERAL INFORMATION**

On June 23, 1966, the City of Abilene granted by Right of Way Easement to the State of Texas certain tracts of land for the purpose of expanding State Highway Loop 322. On July 8, 2002, the State of Texas granted back to the City of Abilene a portion of that land which was not needed by the State.

That land abuts the northeast portion of the Taylor County Expo Center. The City of Abilene has determined that the land is not needed for local road purposes.

The Local Government Code allows a municipality to donate or sell land to another political subdivision without the need for a public auction, and without the need to obtain fair market value, if: (1) the land will be used by the political subdivision to carry out a public purpose that benefits the municipality; (2) the donation or sale is made under terms that effect or maintain the public purpose; and (3) the title and right to possession of the land reverts to the municipality if the acquiring political subdivision ceases to use the land for the public purpose.

The City of Abilene will transfer the land to Taylor County, Texas for the purpose of expanding the Taylor County Expo Center grounds, and with the express provision that if the land ceases to be used for that public purpose the land shall automatically revert back to the City of Abilene.

**SPECIAL CONSIDERATIONS**

On November 29, 2016, the Taylor County Commissioner's Court passed a Resolution to accept the land to be transferred from the City of Abilene to Taylor County, Texas.

**FUNDING/FISCAL IMPACT**

There is no anticipated fiscal impact to the City.

**STAFF RECOMMENDATION**

Staff recommends approval of the transfer of the land to Taylor County, Texas for the public purpose of expanding the Taylor County Expo Center.

## **BOARD OR COMMISSION RECOMMENDATION**

N/A

### **ATTACHMENTS:**

| Description           | Type              |
|-----------------------|-------------------|
| ▣ Resolution          | Resolution Letter |
| ▣ Exhibit             | Backup Material   |
| ▣ Quitclaim Deed      | Backup Material   |
| ▣ County Resolution   | Backup Material   |
| ▣ Picture             | Backup Material   |
| ▣ Org. Quitclaim Deed | Backup Material   |
| ▣ PowerPoint          | Presentation      |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS  
AUTHORIZING THE CITY MANAGER TO TRANSFER REAL PROPERTY TO  
TAYLOR COUNTY, TEXAS FOR A PUBLIC PURPOSE.**

**WHEREAS**, on June 23, 1966, the City of Abilene granted by Right of Way Easement to the State of Texas certain tracts of land for the purpose of expanding State Highway Loop 322; and

**WHEREAS**, on July 8, 2002, the State of Texas, by Quitclaim Deed, granted back to the City of Abilene a portion of that land which was not needed by the State; and

**WHEREAS** that Quitclaim Deed is recorded at Volume 2715, Page 510, of the Official Deed Records of Taylor County, Texas; and

**WHEREAS**, the City of Abilene has determined that the land is not needed for local road purposes; and

**WHEREAS**, the land abuts the northeast portion of the Taylor County Expo Center; and

**WHEREAS**, Taylor County, Texas, on November 29, 2016, passed a Resolution to accept the land to be transferred from the City of Abilene to Taylor County, Texas; and

**WHEREAS**, the City of Abilene shall transfer the land to Taylor County, Texas for purposes of expanding the Taylor County Expo Center grounds, with the express provision that if the land ceases to be used for that public purpose the land shall automatically revert back to the City of Abilene; and

**WHEREAS**, the land shall not be used by Taylor County, Texas for any commercial or proprietary uses other than as the Taylor County Expo Center; and

**WHEREAS**, the City of Abilene finds that Taylor County, Texas, is a political subdivision of the State of Texas; and

**WHEREAS**, the City of Abilene finds that the land will be used by Taylor County, Texas in carrying out a purpose that benefits the public interest of the City of Abilene; and

**WHEREAS**, the City of Abilene finds that the donation or sale of the land is made under terms that effect and maintain the public purpose for which the donation or sale is made; and

**WHEREAS**, the City Council believes that it is in the best interest of the City of Abilene and its citizens and serves a public purpose to transfer the land to Taylor County, Texas.

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



Part 1: That the City Manager is hereby authorized to transfer the land described in the Quitclaim Deed recorded at Volume 2715, Page 510, Official Deed Records of Taylor County, Texas, to Taylor County, Texas.

Part 2: That the land shall be used by Taylor County, Texas for the public purpose of expanding the grounds of the Taylor County Expo Center, and for no other purposes.

Part 3: That title and right to possession of the land shall revert to the City of Abilene if Taylor County, Texas ceases to use the land in carrying out that public purpose.

Part 4. That this Resolution takes effect immediately upon its adoption.

**ADOPTED this 15<sup>th</sup> day of December, 2016.**

ATTEST:

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norman Archibald, Mayor

APPROVED:

\_\_\_\_\_  
Stanley Smith, City Attorney

**EXHIBIT A**

**LEGAL DESCRIPTION FOR TRACT 1**

Being 1.974 acres of land, Tract 1, same being out of and a part of that certain 19.640 acre tract, conveyed to the State of Texas by Deed dated June 23, 1966 of record in Volume 806, Page 447, out of section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.974 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with cap, marked TxDOT, on the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally know as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

- 1) Thence South 87° 09' 32" East, along the proposed South right of way line of the present location of said State Highway 36, a distance of 122.94 feet to a set 1/2" rebar with a cap marked TxDOT, said point being 164.96 feet Southerly from and measured at right angles to centerline chaining station 123+80.25 of the present location of said State Highway 36, and being 443.27 feet Westerly from and measured at right angles to centerline chaining station 111+88.56 of the present location of said Loop 322;
- 2) Thence South 57° 05' 49" East, continuing along the proposed South right of way line of the present location of said State highway 36, a distance of 177.46 feet to a set 1/2" rebar with a cap marked TxDOT, for the Northeast corner of this tract, said point being 223.52 feet Southerly from and measured at right angles to centerline chaining station 125+47.77 of the present location of said State Highway 36, and being 265.82 feet Westerly from and measured at right angles to centerline chaining station 111+90.72 of the present location of said Loop 322;
- 3) Thence South 29° 40' 14" West, along proposed West right of way line of the present location of said Loop 322, a distance of 561.36 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322;
- 4) Thence North 00° 35' 29" East, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to the point of beginning and containing 1.974 acres of land more or less.

## LEGAL DESCRIPTION FOR TRACT 2

Being 1.133 acres of land, Tract 2, same being out of and a part of that certain 80 foot strip of land, formally known as Airport Road, out of Section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.133 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with a cap, marked TxDOT, on the intersection of the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally known as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

- 5) Thence South 00° 35' 29" West, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322 ;
- 6) Thence South 29° 40' 14" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 48.51 feet to a set 1/2" rebar with a cap marked TxDOT, for the Southeast corner of this tract, said point being 238.85 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;
- 7) Thence North 57° 47' 41" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 66.37 feet to a point on the present West right of way line of the present location of said Loop 322, from which a concrete monument bears South 28° 22' West a distance of 0.72 feet, said point being 305.22 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;
- 8) Thence North 00° 35' 29" East, along the present West right of way line of the present location of said Loop 322, a distance of 602.37 feet to a set 1/2" rebar with a cap marked TxDOT, on the proposed South right of way line of the present location of said State Highway 36, for the Northwest corner of this tract, said point being 201.71 feet Southerly from and measured at right angles to centerline chaining station 121+80.44 of the present location of said State Highway 36 and said point being 620.98 feet Westerly from and measured at right angles to centerline chaining station 112+87.02 of the present location of said Loop 322;

Taylor County  
Loop 322  
CSJ 2398-1-7  
Tract 1 and 2  
Page 3 of 4

- 9) Thence South  $86^{\circ} 12' 37''$  East, along proposed South right of way line of the present location of said State Highway 36, a distance of 80.22 feet to the point of beginning and containing 1.133 acres of land more or less.

The bearing recited herein are based upon the state plane coordinate system, North Central Zone (4202) NAD 83 (1993 adj.) from rods Surveying Inc. 6810 Lee Road Spring, Texas, 77379.  
Surveyed on the ground under my supervision August 10 and 15, 2001.

DIEHL ESTES REGISTERED PROFESSIONAL LAND SURVEYOR #5003  
TEXAS DEPARTMENT OF TRANSPORTATION  
4250 NORTH CLACK ABILENE, TEXAS, 79603  
915-676-6830



TAYLOR COUNTY  
 LOOP 322  
 2398-1-7  
 TRACT 1 and TRACT 2  
 PAGE 4 OF 4

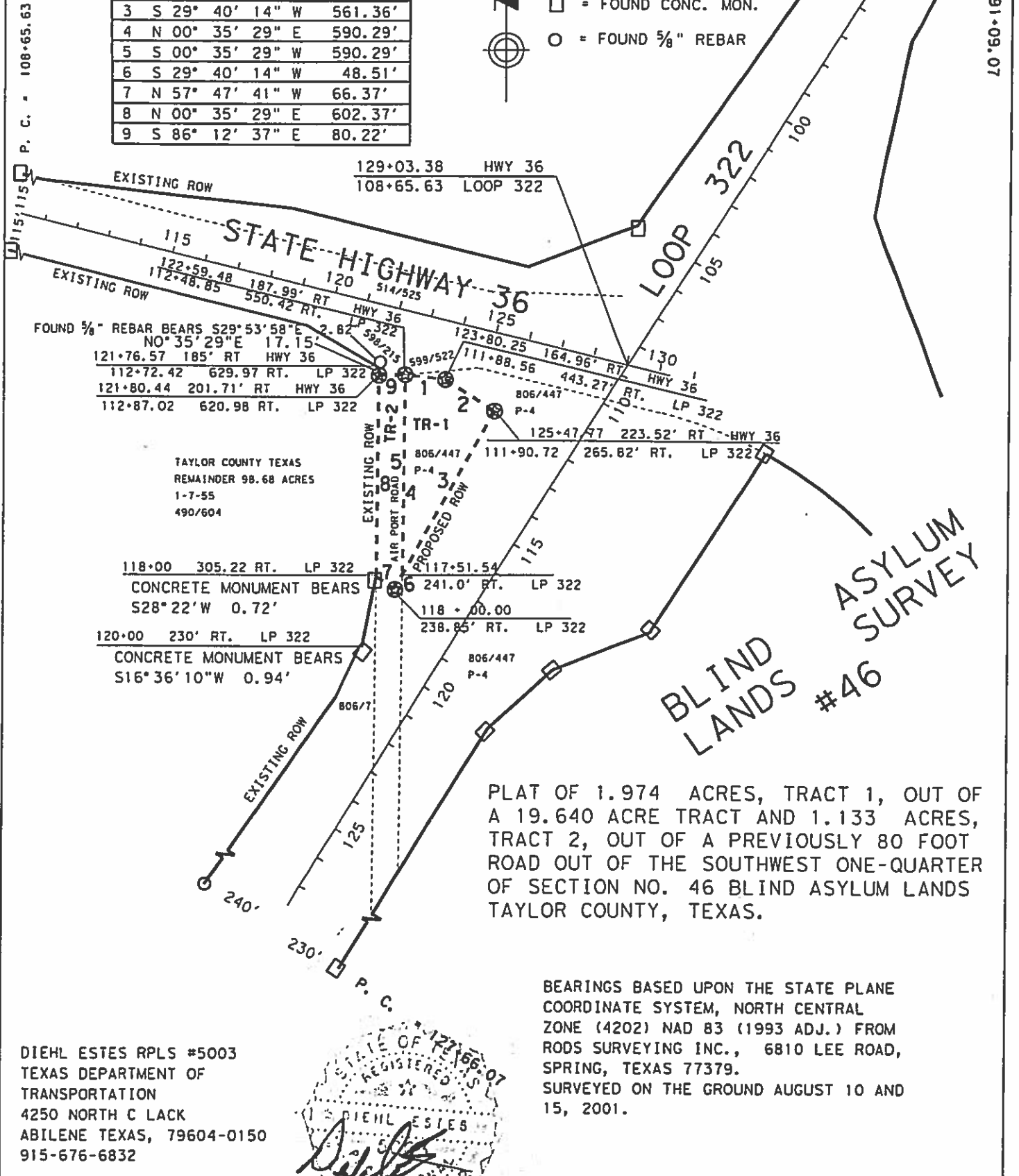
|   |                 |         |
|---|-----------------|---------|
| 1 | S 87° 09' 32" E | 122.94' |
| 2 | S 57° 05' 49" E | 177.46' |
| 3 | S 29° 40' 14" W | 561.36' |
| 4 | N 00° 35' 29" E | 590.29' |
| 5 | S 00° 35' 29" W | 590.29' |
| 6 | S 29° 40' 14" W | 48.51'  |
| 7 | N 57° 47' 41" W | 66.37'  |
| 8 | N 00° 35' 29" E | 602.37' |
| 9 | S 86° 12' 37" E | 80.22'  |

0 100 200 300 400

⊗ = SET 1/2" REBAR WITH A CAP  
 MARKED TEXAS DEPT OF  
 TRANS

□ = FOUND CONC. MON.

○ = FOUND 5/8" REBAR





## Quitclaim With Reversionary Interest

**Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.**

Date: December 15, 2016

Grantor: City of Abilene, Texas, a Texas Municipal Corporation

Grantor's Mailing Address: 555 Walnut Street, Abilene, Taylor County, Texas 79601

Grantee: Taylor County, Texas

Grantee's Mailing Address: 300 Oak Street, Abilene, Taylor County, Texas 79602

Consideration: Ten Dollars (\$10) and other good and valuable consideration.

Property (including any improvements): Exhibit A, attached hereto and made a part hereof.

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns for so long as Grantee uses the Property for the public purpose of expanding the Taylor County Expo Center grounds. In the event that Grantee ceases to use the Property for that public purpose the Property shall automatically revert to Grantor.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. THE PROPERTY IS BEING CONVEYED TO GRANTEE WITH ALL FAULTS. GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE IS RELYING SOLELY ON GRANTEE'S EXAMINATION OF THE PROPERTY. GRANTEE IS NOT RELYING ON ANY INFORMATION OR DISCLOSURES PROVIDED BY GRANTOR.

When the context requires, singular nouns and pronouns include the plural.

CITY OF ABILENE, TEXAS, Grantor

TAYLOR COUNTY, TEXAS, Grantee

By: \_\_\_\_\_  
Robert Hanna, City Manager

By: \_\_\_\_\_  
Downing Bolls, County Judge

STATE OF TEXAS

COUNTY OF TAYLOR

Before me, the undersigned notary public, on this day personally appeared Robert Hanna, City Manager, City of Abilene, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF TAYLOR

Before me, the undersigned notary public, on this day personally appeared Downing Bolls, County Judge, Taylor County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

COMMISSIONERS'

§

STATE OF TEXAS

§

COURT

§

COUNTY OF TAYLOR

## RESOLUTION

**A RESOLUTION OF THE COMMISSIONERS' COURT OF TAYLOR COUNTY, TEXAS**  
to accept transfer of property from City of Abilene as shown in the attached Exhibit and described as follows:

**WHEREAS**, Being 1.974 acres of land, Tract 1, same being out of and a part of that certain 19.640 acre tract, conveyed to the State of Texas by Deed dated June 23, 1966 of record in Volume 806, Page 447, out of section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.974 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with cap, marked TxDOT, on the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally known as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

Thence South 87° 09' 32" East, along the proposed South right of way line of the present location of said State Highway 36, a distance of 122.94 feet to a set 1/2" rebar with a cap marked TxDOT, said point being 164.96 feet Southerly from and measured at right angles to centerline chaining station 123+80.25 of the present location of said State Highway 36, and being 443.27 feet Westerly from and measured at right angles to centerline chaining station 111+88.56 of the present location of said Loop 322;

Thence South 57° 05' 49" East, continuing along the proposed South right of way line of the present location of said State highway 36, a distance of 177.46 feet to a set 1/2" rebar with a cap marked TxDOT, for the Northeast corner of this tract, said point being 223.52 feet Southerly from and measured at right angles to centerline chaining station 125+47.77 of the present location of said State Highway 36, and being 265.82 feet Westerly from and measured at right angles to centerline chaining station 111+90.72 of the present location of said Loop 322;

Thence South 29° 40' 14" West, along proposed West right of way line of the present location of said Loop 322, a distance of 561.36 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322;

Thence North 00° 35' 29" East, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to the point of beginning and containing 1.974 acres of land more or less.

**WHEREAS**, Being 1.133 acres of land, Tract 2, same being out of and a part of that certain 80 foot strip of land, formally known as Airport Road, out of Section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.133 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with a cap, marked TxDOT, on the intersection of the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally know as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

Thence South 00° 35' 29" West, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and

measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322 ;

Thence South 29° 40' 14" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 48.51 feet to a set W' rebar with a cap marked TxDOT, for the Southeast corner of this tract, said point being 238.85 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;

Thence North 57° 47' 41" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 66.37 feet to a point on the present West right of way line of the present location of said Loop 322, from which a concrete monument bears South 28° 22' West a distance of 0.72 feet, said point being 305.22 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;

Thence North 00° 35' 29" East, along the present West right of way line of the present location of said Loop 322, a distance of 602.37 feet to a set V:z" rebar with a cap marked TxDOT, on the proposed South right of way line of the present location of said State Highway 36, for the Northwest corner of this tract, said point being 201.71 feet Southerly from and measured at right angles to centerline chaining station 121+80.44 of the present location of said State Highway 36 and said point being 620.98 feet Westerly from and measured at right angles to centerline chaining station 112+87.02 of the present location of said Loop 322;

Thence South 86° 12' 37" East, along proposed South right of way line of the present location of said State Highway 36, a distance of 80.22 feet to the point of beginning and containing 1.133 acres of land more or less.

**WHEREAS**, the City of Abilene has agreed to transfer such property right of way described above to Taylor County, and

**NOW, THEREOF, THE COMMISSIONERS' COURT OF TAYLOR COUNTY, TEXAS** hereby agrees to accept the transfer of the property right of way from the City of Abilene.

Passed and approved this 29th day of November, 2016.

  
Downing A. Bolls, Jr, County Judge

  
Randall D. Williams, Commissioner, Pct 1

  
Kyle Kendrick, Commissioner, Pct 2

NOT PRESENT  
Stan Egger, Commissioner, Pct 3

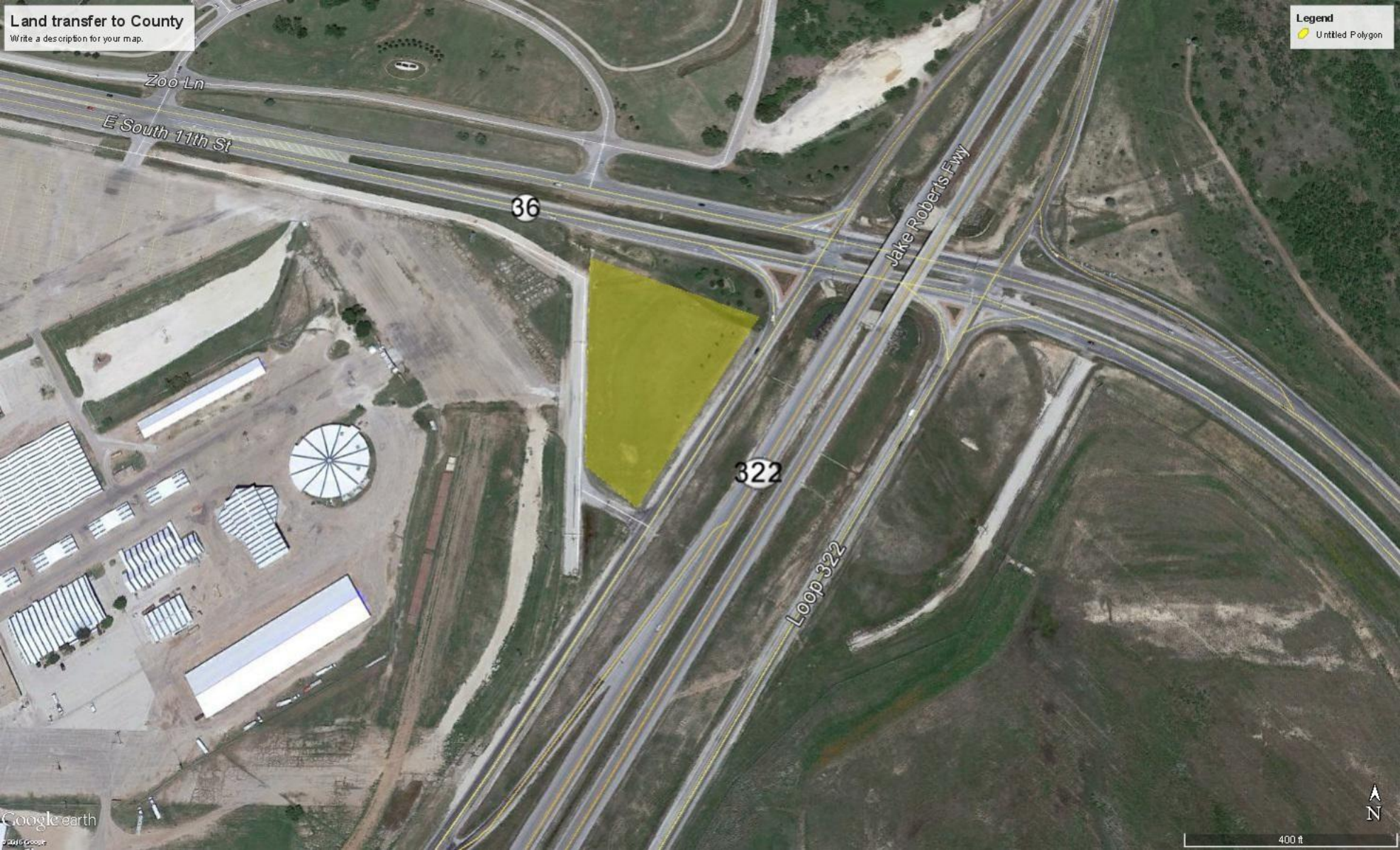
  
Chuck Statler, Commissioner, Pct 4

  
Larry G. Beville, County Clerk









## QUITCLAIM DEED

STATE OF TEXAS           §  
                                     §  
COUNTY OF TAYLOR       §

WHEREAS, in the City of Abilene, TAYLOR COUNTY, Texas, on STATE HIGHWAY LOOP 322, the State of Texas acquired certain land for highway purposes, the land being donated to the State by the City of Abilene by instrument recorded in Volume 806, Page 447, Deed Records of Taylor County, Texas; and

WHEREAS, a portion of the land is no longer needed for highway or public transportation purposes, said surplus land being more particularly described on Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the City of Abilene has requested that the State quitclaim the surplus land to the City for local road purposes; and

WHEREAS, in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission may recommend the conveyance to the grantor if the State's title was acquired by donation; and

WHEREAS, the Texas Transportation Commission at its meeting on April 25, 2002, as shown by the official minutes of the Texas Transportation Commission, passed Minute No. 108889 recommending, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument conveying to

### THE CITY OF ABILENE

all of the State's rights and interest in the surplus land in consideration of the foregoing premises as authorized by V.T.C.A., Transportation Code, Chapter 202, Subchapter B;

NOW, THEREFORE, I, RICK PERRY, GOVERNOR OF THE STATE OF TEXAS, by virtue of the power vested in me by law and in accordance with the laws of the State of Texas, for and in consideration of the foregoing premises, and other good and valuable consideration, the receipt of which is hereby acknowledged, have RELEASED, REMISED and QUITCLAIMED and do by these presents RELEASE, REMISE and QUITCLAIM unto

### THE CITY OF ABILENE

all of the State's rights and interest in that certain tract or parcel of land situated in Taylor County, Texas, which is more particularly described in Exhibit A; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the State's rights, titles and interests, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the surplus land.

This quitclaim is made subject to the continued rights of existing utilities, if any, as provided by law, and any required adjustment will be at no cost to the State. In addition, this quitclaim is subject to all matters of public record and to all easements, leases, agreements or licenses, or other interests which affect the property, and to any matter which would be disclosed by title examination, survey, investigation or inquiry, including but not limited to the rights of parties in possession.

**THIS QUITCLAIM OF THE PROPERTY IS MADE ON AN "AS IS" BASIS, WITH ALL FAULTS AND WITH ANY AND ALL LATENT AND PATENT DEFECTS. BY ACCEPTANCE HEREOF, GRANTEE ACKNOWLEDGES THAT GRANTEE HAS NOT RELIED UPON ANY COVENANT, REPRESENTATION OR WARRANTY, ORAL OR WRITTEN, EXPRESS OR IMPLIED BY GRANTOR OR BY ANY REPRESENTATIVE OF GRANTOR WITH RESPECT TO THE PROPERTY, AND THAT NEITHER GRANTOR NOR ANY REPRESENTATIVE OF GRANTOR HAS MADE ANY COVENANT, REPRESENTATION OR WARRANTY, ORAL OR WRITTEN, EXPRESS OR IMPLIED, OF MERCHANTABILITY, MARKETABILITY, PHYSICAL CONDITION, PRESENCE OF HAZARDOUS MATERIALS, VALUATION, UTILITY, FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE. GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE HAS INSPECTED THE PROPERTY AND THE PHYSICAL AND TOPOGRAPHIC CONDITION OF THE PROPERTY AND ACCEPTS QUITCLAIM TO THE SAME "AS IS" IN ITS EXISTING PHYSICAL AND TOPOGRAPHIC CONDITION AND THAT GRANTEE IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE PROPERTY.**

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto said City of Abilene, its successors and assigns forever.

IN TESTIMONY WHEREOF, I have caused the Seal of the State to be affixed.

Executed this the 8<sup>th</sup> day of January, 2002.

Rick Perry  
RICK PERRY  
GOVERNOR OF TEXAS

Attest:

Recommended for Approval:

Gwyn Shea  
Gwyn Shea  
Secretary of State

M. W. Behrens  
Michael W. Behrens, P. E.  
Executive Director



Approved:

John Cornyn  
Attorney General

By: Jack Mc Gaffey  
Jack McGaffey  
Assistant Attorney General



Taylor County  
Loop 322  
CSJ 2398-1-7  
Tract 1 and 2  
Page 1 of 4

## EXHIBIT A

### LEGAL DESCRIPTION FOR TRACT 1

Being 1.974 acres of land, Tract 1, same being out of and a part of that certain 19.640 acre tract, conveyed to the State of Texas by Deed dated June 23, 1966 of record in Volume 806, Page 447, out of section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.974 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with cap, marked TxDOT, on the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally know as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

- 1) Thence South 87° 09' 32" East, along the proposed South right of way line of the present location of said State Highway 36, a distance of 122.94 feet to a set 1/2" rebar with a cap marked TxDOT, said point being 164.96 feet Southerly from and measured at right angles to centerline chaining station 123+80.25 of the present location of said State Highway 36, and being 443.27 feet Westerly from and measured at right angles to centerline chaining station 111+88.56 of the present location of said Loop 322;
- 2) Thence South 57° 05' 49" East, continuing along the proposed South right of way line of the present location of said State highway 36, a distance of 177.46 feet to a set 1/2" rebar with a cap marked TxDOT, for the Northeast corner of this tract, said point being 223.52 feet Southerly from and measured at right angles to centerline chaining station 125+47.77 of the present location of said State Highway 36, and being 265.82 feet Westerly from and measured at right angles to centerline chaining station 111+90.72 of the present location of said Loop 322;
- 3) Thence South 29° 40' 14" West, along proposed West right of way line of the present location of said Loop 322, a distance of 561.36 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322;
- 4) Thence North 00° 35' 29" East, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to the point of beginning and containing 1.974 acres of land more or less.



**LEGAL DESCRIPTION FOR TRACT 2**

Being 1.133 acres of land, Tract 2, same being out of and a part of that certain 80 foot strip of land, formally known as Airport Road, out of Section 46 Blind Asylum Lands Survey Taylor County, Texas, and said 1.133 acres of land is more particularly described as follows:

Beginning at a set 1/2" rebar with a cap, marked TxDOT, on the intersection of the proposed South right of way line of the present location of State Highway 36, said point being the Northwest corner of Tract 1 and the Northeast corner of Tract 2, said point also being on the East line of a 80 foot strip of land formally know as Airport Road, and said point being 187.99 feet Southerly from and measured at right angles to centerline chaining station 122+59.48 of the present location of said State Highway 36, and being 550.42 feet Westerly from and measured at right angles to centerline chaining station 112+48.85 of the present location of said Loop 322;

- 5) Thence South 00° 35' 29" West, along the West line of said Tract 1, the East line of Tract 2 and the East line of said Airport road, a distance of 590.29 feet to a point on the proposed West right of way line of the present location of said Loop 322, from which a set 1/2" rebar with a cap marked TxDOT bears South 29° 40' 14" West a distance of 48.51 feet, said point being 241.00 feet Westerly from and measured at right angles to centerline chaining station 117+51.54 of the present location of said Loop 322 ;
- 6) Thence South 29° 40' 14" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 48.51 feet to a set 1/2" rebar with a cap marked TxDOT, for the Southeast corner of this tract, said point being 238.85 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;
- 7) Thence North 57° 47' 41" West, along the proposed West right of way line of the present location of said Loop 322, a distance of 66.37 feet to a point on the present West right of way line of the present location of said Loop 322, from which a concrete monument bears South 28° 22' West a distance of 0.72 feet, said point being 305.22 feet Westerly from and measured at right angles to centerline chaining station 118+00 of the present location of said Loop 322;
- 8) Thence North 00° 35' 29" East, along the present West right of way line of the present location of said Loop 322, a distance of 602.37 feet to a set 1/2" rebar with a cap marked TxDOT, on the proposed South right of way line of the present location of said State Highway 36, for the Northwest corner of this tract, said point being 201.71 feet Southerly from and measured at right angles to centerline chaining station 121+80.44 of the present location of said State Highway 36 and said point being 620.98 feet Westerly from and measured at right angles to centerline chaining station 112+87.02 of the present location of said Loop 322;

Taylor County  
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- 9) Thence South 86° 12' 37" East, along proposed South right of way line of the present location of said State Highway 36, a distance of 80.22 feet to the point of beginning and containing 1.133 acres of land more or less.

The bearing recited herein are based upon the state plane coordinate system, North Central Zone (4202) NAD 83 (1993 adj.) from rods Surveying Inc. 6810 Lee Road Spring, Texas, 77379.  
Surveyed on the ground under my supervision August 10 and 15, 2001.

DIEHL ESTES REGISTERED PROFESSIONAL LAND SURVEYOR #5003  
TEXAS DEPARTMENT OF TRANSPORTATION  
4250 NORTH CLACK ABILENE, TEXAS, 79603  
915-676-6830



TAYLOR COUNTY

LOOP 322

2398-1-7

TRACT 1 and TRACT 2

PAGE 4 OF 4

|   |                 |         |
|---|-----------------|---------|
| 1 | S 87° 09' 32" E | 122.94' |
| 2 | S 57° 05' 49" E | 177.46' |
| 3 | S 29° 40' 14" W | 561.36' |
| 4 | N 00° 35' 29" E | 590.29' |
| 5 | S 00° 35' 29" W | 590.29' |
| 6 | S 29° 40' 14" W | 48.51'  |
| 7 | N 57° 47' 41" W | 66.37'  |
| 8 | N 00° 35' 29" E | 602.37' |
| 9 | S 86° 12' 37" E | 80.22'  |

0 100 200 300 400

⊗ = SET 1/2" REBAR WITH A CAP  
MARKED TEXAS DEPT OF  
TRANS

□ = FOUND CONC. MON.

○ = FOUND 5/8" REBAR



P. C. = 108+65.63

115+115

EXISTING ROW

129+03.38 HWY 36  
108+65.63 LOOP 322

STATE HIGHWAY 36

LOOP 322

122+59.48 187.99' RT. HWY 36  
112+48.85 550.42 RT. LP 322  
FOUND 5/8" REBAR BEARS 529° 53' 58" E 17.15'  
NO° 35' 29" E 17.15'  
121+76.57 185' RT. HWY 36  
112+72.42 629.97 RT. LP 322  
121+80.44 201.71' RT. HWY 36  
112+87.02 620.98 RT. LP 322

TAYLOR COUNTY TEXAS  
REMAINDER 98.68 ACRES  
1-7-55  
490/604

118+00 305.22 RT. LP 322  
CONCRETE MONUMENT BEARS  
S28° 22' W 0.72'

120+00 230' RT. LP 322  
CONCRETE MONUMENT BEARS  
S16° 36' 10" W 0.94'

PLAT OF 1.974 ACRES, TRACT 1, OUT OF  
A 19.640 ACRE TRACT AND 1.133 ACRES,  
TRACT 2, OUT OF A PREVIOUSLY 80 FOOT  
ROAD OUT OF THE SOUTHWEST ONE-QUARTER  
OF SECTION NO. 46 BLIND ASYLUM LANDS  
TAYLOR COUNTY, TEXAS.

BEARINGS BASED UPON THE STATE PLANE  
COORDINATE SYSTEM, NORTH CENTRAL  
ZONE (4202) NAD 83 (1993 ADJ.) FROM  
RODS SURVEYING INC., 6810 LEE ROAD,  
SPRING, TEXAS 77379.  
SURVEYED ON THE GROUND AUGUST 10 AND  
15, 2001.

DIEHL ESTES RPLS #5003  
TEXAS DEPARTMENT OF  
TRANSPORTATION  
4250 NORTH C LACK  
ABILENE TEXAS, 79604-0150  
915-676-6832



ASYLUM  
SURVEY

BLIND  
LANDS #46

Filed for Record in:  
Taylor County

On: Jul 16, 2002 at 10:42A

STATE OF TEXAS

COUNTY OF TAYLOR

I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the Official Public  
Records of: Taylor County, Texas as stamped  
hereon by me.

Janice Lyons, County Clerk  
Taylor County, Texas

By,  
John Bender  
Deputy

CONFIRMED

TxDOT  
Attn: Tommy Jones  
PO Box 150  
Abilene TX 79604

# Transfer of Property to Taylor County, Texas

- On June 23, 1966, the City of Abilene granted by Right of Way Easement to the State of Texas certain tracts of land for the purpose of expanding State Highway Loop 322
- On July 8, 2002, the State of Texas granted back to the City of Abilene a portion of that land which was not needed by the State
- The City desires to transfer that land to Taylor County, Texas for the express public purpose of expanding the grounds of the Taylor County EXPO Center
- The Taylor County Commissioner's Court has agreed to accept the land by Resolution passed on November 29, 2016

