

AGENDA REPORT

April 9, 2018

TO: Abilene City Commission
FROM: Austin Gilley, City Manager
RE: **City Manager's notes to accompany agenda**

PURPOSE

This report is intended to provide brief summaries of each agenda item with staff input to assist in the deliberation, discussion, and decision of each agenda item.

CONSENT AGENDA

The consent agenda is a meeting tool to allow for the approval with one vote items that are routine business, non-controversial, or do not require debate. Any item may be removed from this list to be discussed further by a separate motion and vote. The agenda approval and minutes from the previous meeting are a standing agenda item here.

- **School Resource Officer Agreement:** As previously discussed, Police Chief Mohn has been working with the school district to re-establish the School Resource Officer program. Chief Mohn advises that an existing position will be used for this program, so it will not increase cost to the City. The interlocal agreement required to implement the program is included in this packet on page 4 and also is on the School Board's agenda for approval. If approved, the School would make a financial contribution to the City to essentially split the cost of the program.
- **Conditional Use Permit Ordinance:** The Planning Commission recommends approval of the Ordinance to grant a Conditional Use Permit for Superior Sanitation to operate a refuse hauling facility and yard at the 2000 block of NW 14th. The application and ordinance are included in the packet on page 7.
- **Reverse Osmosis membrane replacement purchase:** The City received the low bid of \$47,409.79 from Worth Hydrochem to replace one skid of reverse osmosis membranes. Four total skids (one skid is a group of membrane tubes pictured here) are at the Water Treatment Plant. During normal operation these skids are rotated in usage, but to operate at full capacity in peak demand, all four are needed. The expected lifespan of these membranes is five years, but the City's operators have crafted a maintenance process that



has extended the life of these to 10 to 12 years. Their ingenuity and experience has saved the City significant money and has made our operators industry experts in this type of operation. This expense was identified in the 2018 budget and the funds are available in the water reserve fund.

- **Airport hangar door replacement purchase:** The airport hangar door has fallen into disrepair. The opener is nearing total failure. The Airport Board recommended this improvement as part of the 2018 adopted budget. The total cost is \$33,402, which is the lowest of three bids. The price estimate is on page 17. The expense is planned from the Airport Fund.



AGENDA

11. Resolution to approve 2018-19 Commission priorities (p. 18)

Included in the packet is the resolution reflecting the City Commission's priorities.

12. 2019 Budget: Utility Funds (p. 19)

Rate analyst Beth Warren updated the water rate review tables with options. The information includes proposed water rates in the three scenarios the Commission requested – 7 years, 10 years, and 15 years, representing the time to accomplish the financial goal of achieving 180 days of operating cash on hand. We will review these options in detail. In addition to this information, I plan to review the budget hearing process, which we plan to begin with the utility funds at the April 23 meeting.

13. Ordinance amending City Code to provide guidelines for Commission Study Sessions (p. 45)

Included in the packet is an ordinance to formally adopt guidelines and responsibilities for the Commission's study sessions. This policy reflects the input received at a recent study session.

14. Targeted balance policy (Marshall)(p. 47)

Commissioner Marshall requested this agenda item.

15. Mayor succession plan ordinance (p. 48)

In order to help reduce confusion, I compiled the following timeline of events to help explain why this issue has been so difficult – keep in mind that the confusion pre-dates most all of the people currently involved.

Date	Event
2015	Legislature passes HB 2104 moving local elections to November (when it goes into effect in 2017, it extends the current terms by 9 months)
2016	Commission adopts Charter Ordinance 25 (see Ordinance) moving local elections to November; keeps Mayor selection policy as an annual decision of the Commission – traditionally occurring the meeting following election



February 2017	City Manager proposes Ordinance to formally move Mayor selection to January; no action is taken after contentious discussion																																																																		
March 2017	City Manager resigns; Mayor selection unresolved																																																																		
April 10, 2017	Commission votes 3-2 for Commissioner Marshall to remain as Mayor until January 8, 2018 (see minutes)																																																																		
Summer 2017	Interim City Managers decline to address issue due to controversy and defer to permanent City Manager																																																																		
August 28, 2017	Commission votes 4-0 to make Commissioner Shafer Mayor; no term is specified (apparently the result of a negotiated but unrecorded compromise)(see minutes)																																																																		
January 8, 2018	Newly elected Commissioners are seated. I decline to put Mayor selection on the agenda due to disagreement and confusion over policy and practice. City Attorney and City Clerk advise that traditionally Commissioner Chaput would have been made Vice Mayor at this meeting. Commissioner Marshall requested that the policy should be to make the high vote getter Vice Mayor in the second year (third-year Mayor).																																																																		
February 26, 2018	I ask the Commission for clarification on whether the tradition was a second-year or third-year Mayor. Commission voted 4-1 to direct staff to prepare an ordinance creating a third-year Mayor succession plan. (see minutes)																																																																		
March 6, 2018	Commissioner Shafer requests at Study Session the equivalent of the original ordinance from 2017 also be re-introduced to move the Mayor selection to January and not do a succession plan.																																																																		
March 12, 2018	Commission votes 3-2 to adopt the ordinance moving the Mayor selection to January with no succession plan. Commission votes 5-0 to select Commissioner Shafer as Mayor and Commissioner Marshall as Vice Mayor for 2018. (see minutes)																																																																		
March 20, 2018	Commissioner Marshall challenges legality of March 12 vote. City Attorney confirms action legal. Commissioner Marshall requests at Study Session for staff to be redirected.																																																																		
March 26, 2018	Commission votes 5-0 to self report an open meetings act violation regarding Commissioners Marshall, Chaput, and Petersen meeting in serial meetings to discuss repealing and replacing the March 12 vote. Commission votes 3-2 to direct staff to draft an ordinance repealing and replacing the March 12 vote.																																																																		
TODAY	<p>The ordinance to repeal and replace the March 12 vote is on the agenda. A vote for the ordinance would establish a succession plan as illustrated below. A vote against the ordinance would keep the policy as an annual decision made in January.</p> <table border="1" data-bbox="375 1524 1117 1875"> <thead> <tr> <th colspan="6">Mayor in third year</th> </tr> <tr> <th></th> <th>4-year term</th> <th>4-year term</th> <th>4-year term</th> <th>4-year term</th> <th>2-Year term</th> </tr> <tr> <th></th> <th>Mayor</th> <th>Vice Mayor</th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>2017</td> <td>Marshall</td> <td>Shafer</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2018</td> <td>Shafer</td> <td>Marshall</td> <td>Chaput</td> <td>Ostermann</td> <td>Petersen</td> </tr> <tr> <td>2019</td> <td>Marshall</td> <td>Chaput</td> <td>Ostermann</td> <td>Shafer</td> <td>Petersen</td> </tr> <tr> <td>2020</td> <td>Chaput</td> <td>Ostermann</td> <td>2019: First</td> <td>2019: Second</td> <td>2019: Third</td> </tr> <tr> <td>2021</td> <td>Ostermann</td> <td>2019: First</td> <td>2019: Second</td> <td>Chaput</td> <td>2019: Third</td> </tr> <tr> <td>2022</td> <td>2019: First</td> <td>2019: Second</td> <td>2021: First</td> <td>2021: Second</td> <td>2021: Third</td> </tr> <tr> <td>2023</td> <td>2019: Second</td> <td>2021: First</td> <td>2021: Second</td> <td>2019: First</td> <td>2021: Third</td> </tr> <tr> <td>2024</td> <td>2021: First</td> <td>2021: Second</td> <td>2023: First</td> <td>2023: Second</td> <td>2023: Third</td> </tr> </tbody> </table>	Mayor in third year							4-year term	4-year term	4-year term	4-year term	2-Year term		Mayor	Vice Mayor				2017	Marshall	Shafer	-	-	-	2018	Shafer	Marshall	Chaput	Ostermann	Petersen	2019	Marshall	Chaput	Ostermann	Shafer	Petersen	2020	Chaput	Ostermann	2019: First	2019: Second	2019: Third	2021	Ostermann	2019: First	2019: Second	Chaput	2019: Third	2022	2019: First	2019: Second	2021: First	2021: Second	2021: Third	2023	2019: Second	2021: First	2021: Second	2019: First	2021: Third	2024	2021: First	2021: Second	2023: First	2023: Second	2023: Third
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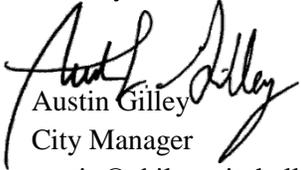
Monday, April 9, 2018

OTHER INFORMATION

Payroll and Accounts Payable (p. 49)

These reports are provided as information with each meeting agenda.

Thank you,


Austin Gilley
City Manager

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