

## AGENDAS

**FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 8, 2016 AT 3:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7<sup>th</sup> AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.**

***Please note:** The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.*

### WORK SESSION

- A. City Council will discuss or receive reports on the following current matters or projects.
- (1) Review agenda items for regular meeting and attachments;
  - (2) Consider appointments to Boards and Commissions:  
Amarillo Economic Development Corporation  
Board of Review-Landmarks & Historic District  
Construction Advisory and Appeals Board;
  - (3) Building Code Adoption Procedure;
  - (4) Public Nuisance and Dangerous Structure Procedures; and
  - (5) Consider future Agenda items and request reports from City Manager.
- B. City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
- (1) Discussion regarding the rights, duties and responsibilities of the City Manager, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.074;
  - (2) Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.071;
  - (3) Discuss possible future vacancy in the office of a Councilmember, and consider qualifications, process of selection, and process for appointment to fill vacancy, in accordance with Art. V, Sec. 3 of the City Charter; and
  - (4) Discussion regarding appointments to vacant Board positions; and discussion regarding qualifications, rights, duties and responsibilities of Board members and appointees, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.074.
- C. Discussion regarding the rights, duties and responsibilities of the City Manager.

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### REGULAR MEETING ITEMS

**INVOCATION:** Pastor Ricky Pfeil, Kingdom Keys

1. **MINUTES:**  
Approval of the City Council minutes of the regular meeting held on March 1, 2016.
2. **ORDINANCE NO. 7589:**  
This is the first reading of an ordinance vacating an existing 80-foot by 160-foot segment of Southeast 8<sup>th</sup> Avenue right-of-way, save and except a 15-foot public utility easement and a 20-foot by 35-foot public access easement in Section 155, Block 378 and Block 397, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 5:0 vote of the Planning and Zoning Commission.

3. **PUBLIC HEARING – TEEN CURFEW RENEWAL:**

This item conducts a public hearing to gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016. The Amarillo Police Chief will present data related to the Juvenile Curfew Ordinance and the Commission will receive comments from the public in order to determine if the curfew will be re-adopted, amended, or abolished per the requirements of Texas Local Government Code §370.002.

4. **ORDINANCE NO. 7587:**

This is the second and final reading of an ordinance amending Chapter 10-3, Miscellaneous Offenses of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2013. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department.

5. **ORDINANCE NO. 7588:**

This is the second and final reading of an ordinance amending Ordinance No. 7559 to correct a clerical error relating to the legal description of the drainage easement that was vacated and abandoned.

6. **RESOLUTION – CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE PUBLIC NUISANCES AT THE LOCATION(S) STATED:**

This resolution sets the date and time for a public hearing on March 29, 2016, at 5:00 p.m. to determine if the property at 1210 Northwest 12<sup>th</sup> Avenue constitutes a public nuisance and thereby declared as dangerous structure. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing.

7. **PRESENTATION:**

This item is a presentation and discussion on Canadian River Municipal Water Authority (CRMWA) and City water supply update, and on the City's drought contingency plan.

8. **APPOINTMENTS – BOARDS AND COMMISSIONS:**

An appointment is needed for the following board:

Construction Advisory and Appeals Board (3-year terms)  
09/13/2005 Gary Ward 12/31/2015 - Heating and Air

9. **CONSENT AGENDA:**

It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction:

A. **Purchase – Fertilizer:**

Award to low responsive bidders as follows:

Pro Chem Sales	\$56,292.90
Lines 1,2,8,12	
Harrells LLC	\$6,000.00
Line 3	
Spra-Green	\$681.60
Line 4	
BWI Dallas/Fort Worth	<u>\$77,497.20</u>
Lines 5,6,7,9,10,11	
Total Award	\$140,471.70

This item approves the annual purchase of various fertilizers. These items are used throughout the year at the Ross Rogers and Comanche Trail Golf Complexes. The total bid price reflects a decrease of 2.2% from last year's contract. Funding is available in the approved FY 2015-2016 operating budgets for the Ross Rogers and Comanche Trail Golf Departments.

B.	<u>Purchase – Ammunition:</u>	
	Police Department	\$95,774.88
	Airport Police Department	\$ 2,770.11
	Fire Marshall	\$ 1,091.29
	Award to low bidder:	\$99,636.28

This item is the purchase of ammunition for use by the Amarillo Police Department and the Amarillo Shooting Complex (\$95,774.88), Airport Police Department and Fire Marshall. The purchase includes duty and training ammunition for the Amarillo Police Department and ammunition for sale at the Complex. Funding for this purchase is available in the approved 2015-2016 Police Department operating budget.

**PUBLIC FORUM**

Comments from interested citizens on matters pertaining to City policies, programs or services.

*(This is the opportunity for visitors and guests to address the City Council on any issue. The City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. Texas Attorney General Opinion JC-0169)*

**MISCELLANEOUS**

1. Boards and Commissions – appointments as listed on attached.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7<sup>th</sup> Avenue) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary’s Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Posted this 4th day of March 2016.

Amarillo City Council meetings stream live on Cable Channel 95 and are available online at:  
[www.amarillo.gov/granicus](http://www.amarillo.gov/granicus)  
 Archived meetings are also available.



STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 1st day of March 2016, the Amarillo City Council met at 3:00 p.m. for a work and executive session and then at 5:00 p.m. for the regular session both held in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

- |                    |                     |
|--------------------|---------------------|
| PAUL HARPOLE       | MAYOR               |
| ELISHA L. DEMERSON | COUNCILMEMBER NO. 1 |
| BRIAN J. EADES     | COUNCILMEMBER NO. 2 |
| RANDY BURKETT      | COUNCILMEMBER NO. 3 |
| MARK NAIR          | COUNCILMEMBER NO. 4 |

Absent were none. Also in attendance were the following administrative officials:

- |                |                      |
|----------------|----------------------|
| TERRY CHILDERS | INTERIM CITY MANAGER |
| MICK MCKAMIE   | CITY ATTORNEY        |
| KELLEY SHAW    | PLANNING DIRECTOR    |
| FRANCES HIBBS  | CITY SECRETARY       |

The invocation was given by Greg Dowell, Central Church of Christ. Mayor Harpole led the audience in the Pledge of Allegiance.

Mayor Harpole established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

ITEM 1: Mayor Harpole presented the minutes for February 23, 2016. Motion was made by Councilmember Burkett to approve the minutes; motion was seconded by Councilmember Demerson, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole announced a public hearing to gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016. Robert Taylor, Amarillo Police Chief presented data related to the Juvenile Curfew Ordinance for years 2013, 2014 and 2015. Mayor Harpole stated that the interaction he has had with parents was that they liked the curfew. There were no comments from the public. Mayor Harpole closed the public hearing.

ITEM 3: Mayor Harpole presented an ordinance amending Chapter 10-3, Miscellaneous Offenses of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2013. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7587

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Harpole presented an ordinance amending Ordinance No. 7559 to correct a clerical error relating to the legal description of the drainage easement that was vacated and abandoned. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7588

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AMENDING ORDINANCE NO. 7559 TO CORRECT A CLERICAL ERROR RELATING TO THE LEGAL DESCRIPTION OF THE DRAINAGE EASEMENT BEING VACATED AND ABANDONED; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 5: Mayor Harpole presented an ordinance amending the Amarillo Municipal Code, Chapter 14-2 to reallocate a fractional use distribution of the Hotel Occupancy Tax (HOT). Motion was made by Councilmember Nair, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7586

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-2, ARTICLE III, SECTION 14-2-52(b)(4) TO REMOVE ALLOCATION RESTRICTIONS AND ALLOW DISTRIBUTION OF THE HOTEL OCCUPANCY TAX IN ACCORDANCE WITH STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 6: Mayor Harpole presented an ordinance which would amend Amarillo Municipal Code, Chapter 18-2 to add a new Article VI, Sections 18-2-100 to 18-2-130, including procedures and definitions, adopt regulations and placing a Cross-Connection Program into the City of Amarillo Municipal Code. The purpose of said Article is to comply with Title 30 and to protect the water supply of the City from contamination due to any cross connections. The Public Hearing was conducted during the City Council Regular Session on February 18, 2016; the first reading was conducted February 23, 2016.

Andrew Holley, West 51st Avenue, stated the need to educate the public before being fined. Councilmember Nair stated an education campaign might be helpful. Mr. Childers stated they were addressing this need with the comprehensive strategy. Motion was made by Councilmember Nair, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7585

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE TO ADD CHAPTER 18-2, CREATING NEW ARTICLE VI, SECTIONS 18-2-100 TO 18-2-130 AND PROVIDING FOR DEFINITIONS, REQUIREMENTS, GUIDELINES, AND OTHER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 7: Mayor Harpole presented a resolution approving the application for the FY2016 Regional Solid Waste Grant Program Application to the Panhandle Regional Planning Commission (PRPC). The Solid Waste Department will use the requested \$5,500.00 to fund the use of shipping trailers to collect and recycle scrap tires during a month-long neighborhood scrap tire cleanup program.

Steve Fisk, Acting Solid Waste Superintendent, stated this grant would allow the funding for four shipping trailer loads of used tires to reduce the illegal tire dumping in Amarillo. He further stated they would pick up tires until the trailers were full. Residents would be able to clean up their properties that have been illegally dumped with used

tires. Jesse Pfrimmer, 5723 South Milam Street, encouraged the City to attend a meeting tomorrow at the Northwest Branch Library from 4:00-6:00 p.m. to explain this program that will be available to citizens. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 03-01-16-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS; AUTHORIZING THE SUBMISSION OF A FY2016 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 8: Mayor Harpole presented a resolution suspending until June 20, 2016, Xcel Energy's request filed February 16, 2016 with the Texas Public Utility Commission, for an increase in base revenue of about 14.41%. Approval of this resolution will allow the City time to review and evaluate Xcel Energy's rate and fuel filing on behalf of Amarillo residents and Xcel customers. Mr. Childers stated this resolution will suspend the rate increase filed by SPS to the PUC. If this rate increase is not suspended, rates would increase at the end of the month. This resolution will allow the City to work with area Panhandle cities to evaluate the rates and the suspension will give us time to work on numbers and recommendations. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 03-01-16-2

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY") SUSPENDING SOUTHWESTERN PUBLIC SERVICE COMPANY'S PROPOSED EFFECTIVE DATE IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 16, 2016; AUTHORIZING THE CITY TO JOIN WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; REQUIRING PROOF OF NOTICE; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 9: Mayor Harpole stated the need for the City of Amarillo to accept the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the Amarillo Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015 be received and accepted.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 10: Mayor Harpole advised that this item would be tabled.

ITEM 11: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Mr. Childers stated the need for a comprehensive classification study which included the quality of pay for employees. An RFP has been issued for a thorough compensation study and City staff recommends awarding this contract to Evergreen Solutions. Motion was made by Councilmember Burkett to approve the consent agenda, seconded by Councilmember Demerson.

A. Award – Comprehensive Compensation and Classification Study:  
Evergreen Solutions, LLC – \$135,000.00

This item awards a professional services contract to provide a Comprehensive Compensation and Classification Study that will review the City's current pay and classification plan. Funding is available for this contract from the approved 2015-2016 budget.

B. Approval - Change Order Two (2) – Job# 521941: 24<sup>th</sup> Pipeline 48" Well Water Transfer Line:

Original Contract:	\$ 11,740,159.00
Previous Change Orders:	\$ 238,412.49
Current Change Order:	\$73,649.42
For a total of Change Orders	\$312,061.91
Revised Contract:	\$12,052,220.91

This item approves Change Order No. 2 to the contract with Condie Construction Company, Inc. for additional work required on the 24<sup>th</sup> Pipeline.

C. Approval – Aviation Clear Zone Easements:

1) Aviation Clear Zone Easement being 4,750 feet MSL above the plat of Sundown Estates Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land out of Section 177, Block 2, AB&M Survey, Randall County, Texas from Diego Flores, in the vicinity of Washington Street and Sundown Lane.

2) Aviation Clear Zone Easement being 3,755 feet MSL above the plat of Whitaker Subdivision Unit No.3, an addition to the City of Amarillo, being a replat of all of Tracts 38 and 39, and a portion of Tract 40, Whitaker Subdivision, in Section 92, Block 2, AB&M Survey, Potter County Texas from Dao Tran, in the vicinity of East Amarillo Boulevard and Triangle Drive.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none, the motion carried by a 5:0 vote of the Council.

Mayor Harpole announced that this is the end of the regular agenda, but this time is reserved to hear from any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of City policy or decide whether to place an item on a future agenda.

Mr. Childers read a statement and gave brief comments concerning his recent 911 calls. Mr. McKamie reminded the audience of the Texas Open Meetings Act and the limited responses by the Council. Chris Hesse, Attorney, stated he was a civil rights and criminal offense attorney. He further stated that Mr. Childers may have committed several crimes using 911 which is a Class B misdemeanor. He suggested that Mr. Childers invoke his right to protect himself and refrain from making any other statements. Arthur Tupin, 7115 Gainsborough Street, stated the Chief of Police would know the protocol for a lock down. Keith Ferguson, 5730 Southwest 43 Avenue, stated he was an ex-police officer who had been in charge of dispatch. He further stated the need for a streetwise officer to be in dispatch for all three shifts to supervise dispatchers. He recognized the need to reorganize but there was no need to be abusive. Iris Lawrence, 1600 North Washington Street, Amarillo Branch NAACP President, stated she supported Mr. Childers' in his efforts for doing more with the community and the need for Amarillo to work together to develop a city for all of the people. Claudia Stravato, 210 South Avondale Street, stated there were problems with 911 center and a need to look at the pros and cons. Shawn Fuller, 3801 Paramount Street, stated the Appearance Committee's charge has included the homeless situation along with the weeds, junk vehicles, graffiti and the used tire problem. Rupert Brashears, Jr., stated a breach of peace is to a commit offense.

Martin Mohada(sp) 2909 South Roosevelt Street, stated first responders and dispatchers are not perfect. Problems at the 911 call center are reviewed, solutions are made and procedures are adjusted. Adrian Castillo, 46 & Hughes Street, stated the

community wanted to hear Mr. Childers' apologize. He further stated the need to ask the dispatchers what we could do better to help them make their jobs more efficient. Sharon Moore, 7814 Hermosa Drive, stated she was a nurse and was angry with whole situation. She asked the Council to ask the dispatchers what they could do to help them. Ladonna Ramy(sp), 4612 South Lamar Street, stated all the 911 people are civil service employees and they follow protocols to do their job. She inquired why complaints brought up were not discussed with AECC. She further inquired as to why the reorganization was done within 24 hours, and why Mr. Bavoussett was demoted, given an ultimatum, or asked to take retirement. Kit Rudd, 6850 Grande Drive, stated Mr. Childers has been doing a good job since he has been with the City. He further stated last week he fed, gave out blankets, gloves, and hats to 15 people and took a pregnant girl to a shelter. Jim O'Malley, 715 South Fillmore Street, questioned the AECC changes being done so quickly. Bob Juba, 550 South Avondale Street, stated he found the 911 calls disturbing, hoped it was not a pattern and one day does not make a trend. He encouraged the Council to measure this one event with his tenure. Mr. Juba stated activities were happening and things were moving downtown. Council cannot ignore a mistake, but can forgive if it is one mistake. The responders were professional and the calltakers do save lives and are to be commended. Mindy Cook, 3807 Pine Street, stated the AECC was still in its infancy and still going through growing pains. She further stated calltakers do not do it for the money, but that civil service is in their blood. She asked Council not to take away their opportunity to grow. A civilian run 911 is not the norm and there is not enough background to know if it is still working. Juvonda Westmoreland, 906 North Lincoln Street, stated there was no diversity in the AECC. Linda Sorrels, 2617 14<sup>th</sup> Avenue, Canyon, a former Deputy Sheriff for Potter County, offered her appreciation and admiration for the 911 calltakers and she stated she was outraged listening to the phone calls. Danny Richburg, 6900 Hope Road, stated Mr. Childers made an apology, but the apology does not remove what he said or did. He stated there should be consequences associated with his actions. Ellen Sherrill(sp), 2518 Thorn Drive, stated she did not have a good experience when she called 911. She inquired if anyone was concerned about the threatening calls placed to Mr. Childers and the need to address racism in Amarillo.

Ray Guy, 7419 Jameson Street, stated he was embarrassed when he first heard the calls and also embarrassed by Mr. Childers' written statement. He is now willing to sit back and watch. Elijah Demerson, appreciated all the positive things happening in the City. David Kossey, 1014 Cimarron Canyon, inquired if anyone has actually been let go from the 911 center. Mr. McKamie stated as a factual matter there were not. Mr. Kossey further stated there has not been a decision made on the homeless ordinance. Robert Baker, 3310 Kingston Road, stated he was concerned about the comments this evening and that something was wrong with the 911 call system and the calls being made that were not appropriate. He further stated the need to address the public on what 911 should be used for. Dana Havlik, 613 Southwest 46<sup>th</sup> Avenue, stated changes that are being implemented within the 911 center are a long time coming. He further stated fire and police personnel were not welcomed in the center. Trivia Harper, 505 South Independence Street, stated that public servants needed to remember they are just like everyone else and not let their positions go to their heads. Andrew Holley, West 51<sup>st</sup> Avenue, stated the community only attends Council meetings during controversies and that citizens need to be engaged in the community. Pastor Eddie Heed(sp), stated people in church make mistakes and we forgive them, but in a social setting people act differently. The persons answering the calls might have needed a balance of understanding on what was happening. Roby Mitchell, 8001 Parkway Drive, stated Mr. Childers' request for an immediate response was an egregious breach of power. He further stated he appreciated his apology and he felt the dispatcher acted very professional. Julian Reese, 1212 Sycamore Street, stated people make mistakes and no one is perfect. Jesse Pfrimmer, 5723 South Milam Street, praised Mr. Childers for his apology. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

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Frances Hibbs, City Secretary

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Paul Harpole, Mayor

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 8, 2016	<b>Council Priority</b>	Infrastructure
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<b>Department</b>	Planning
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## Agenda Caption

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

This is the first reading of an ordinance vacating an existing 80 foot by 160 foot segment of S.E Eighth Avenue right-of-way, save and except a 15 foot public utility easement and a 20 foot by 35 foot public access easement in Section 155, Block 378 and Block 397, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 5:0 vote of the Planning and Zoning Commission.

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## Agenda Item Summary

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This vacation request is being made by the developer of the Double R Lofts, a 25 unit residential redevelopment project located at 705 N. Grant Street, in order to create additional space for outdoor courtyards for adjacent residential units and additional guest parking. The right-of-way segment requested for vacation is a portion of S.E Eighth Ave. that dead-ends into the BNSF railroad property and does not provide connectivity to any other thoroughfare. Planning staff has received written confirmation from the adjacent property owner to the south stating there are no objections to the proposed vacation and release any claim to ownership of the area being vacated.

A public fire hydrant exists at the southwest corner of the street segment requested for vacation for which a 15 ft. public utility easement is being retained. Although the adjacent alley to the south of this street segment is not being used, a 20 ft. by 35 ft. public access easement is being retained in order to eliminate the creation of a dead-end alley.

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## Requested Action

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Planning and Legal staff have reviewed the associated Ordinance and exhibit and recommend the City Council approve the item as submitted.

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## Funding Summary

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Chapter 272 of the Texas Local Government Code allows the conveyance of right-of-way for less than fair market value when conveyed to one or more abutting property owners. The area proposed for vacation is being requested to be conveyed for a di minimis amount.

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# Amarillo City Council Agenda Transmittal Memo



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**Community Engagement Summary**

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Per City of Amarillo policy, the street segment proposed for vacation was posted with signage stating the street is being considered for permanent closure and provided the Planning Department's phone number for any comments. As of this date, the Planning Department has not received any comments.

The item was considered by the Planning and Zoning Commission in a public hearing on February 8<sup>th</sup> at which there were no public comments.

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**Staff Recommendation**

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Staff recommends the approval of this Ordinance.

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AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR PORTION OF A STREET IN THE VICINITY OF S. GRANT STREET AND S.E. EIGHTH AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described STREET; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1: That the herein-described STREET segment be vacated and abandoned for public purposes:

V-16-01 Vacation of S.E. Eighth Avenue extending from the East right-of-way line of Grant Street Easterly for a distance of 160 feet; Section 155, Block 378 and Block 397, AB&M Survey, Potter County, Texas. (Vicinity: S. Grant Street & S.E. Eighth Avenue) and being further described below:

SAVE AND EXCEPT: A 15 foot public utility easement located within and immediately adjacent to the South right-of-way line of said S.E. Eighth Avenue segment being vacated by this instrument.

SAVE AND EXCEPT: A 700 square foot public access easement located at the southeast corner of the S.E. Eighth street segment being vacated, being 35 feet north and 20 feet east and more particularly described in Exhibit A.

SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3: All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4: In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

SECTION 5: This Ordinance shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the \_\_\_\_ day of March 2016; and PASSED on Second and Final Reading this the \_\_\_\_ day of March 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

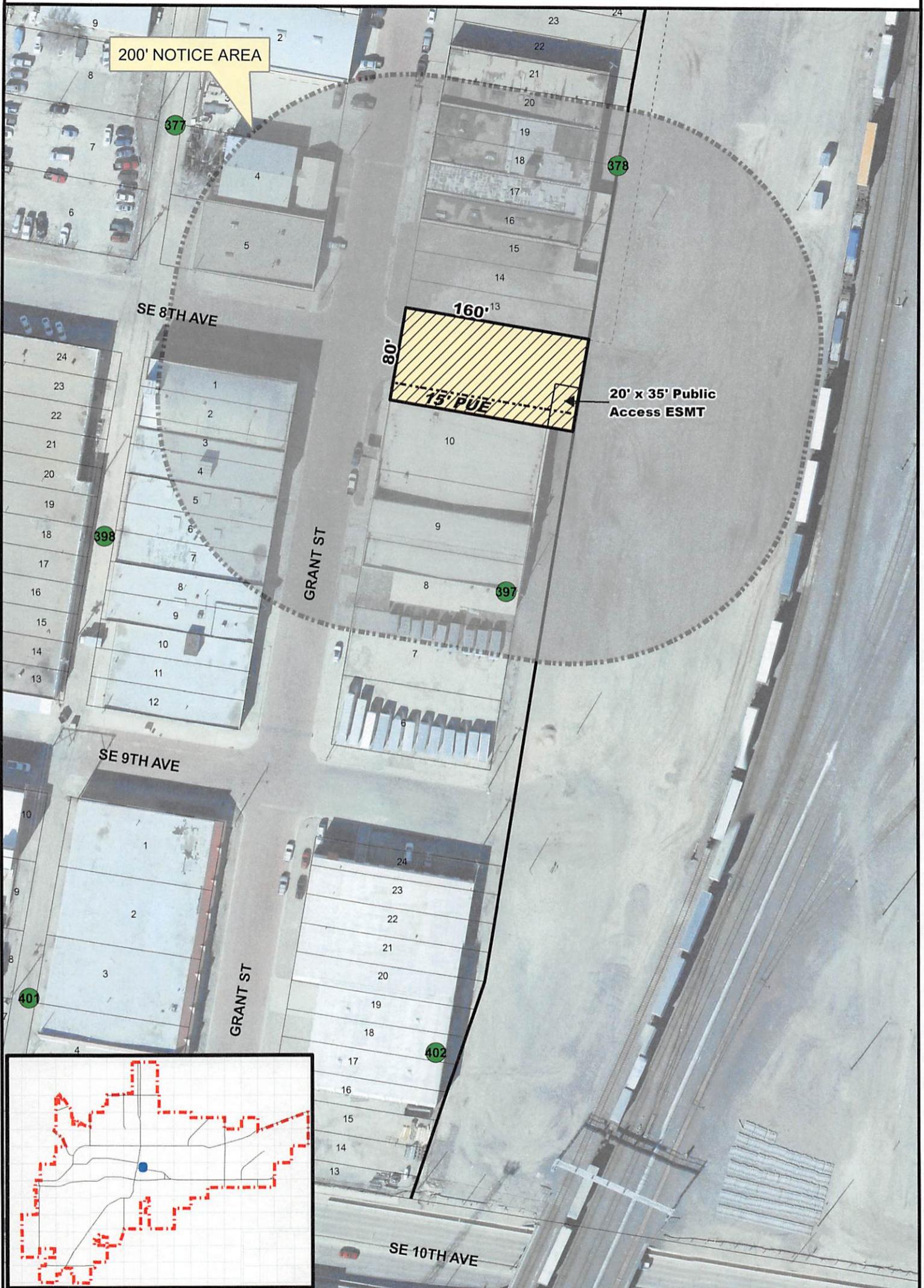
**ACKNOWLEDGEMENT**

THE STATE OF TEXAS     §  
  §  
COUNTY OF POTTER     §

This instrument was acknowledged before me on the \_\_\_\_ day of February 2016, by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

# VACATION OF A PORTION OF SE 8TH AVE



## CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 100'  
Date: 2-4-16  
Case No: V-16-01



V-16-01 Vacation of S.E. Eighth Avenue extending from the East right-of-way line of Grant Street Easterly for a distance of 160 feet; Retainment of 15' PUE; 20' x 35' Public Access Easement; Section 155, Block 378 and Block 397, AB&M Survey, Potter County, Texas.

Applicant: Darin Hudsun

Vicinity: S Grant Street & SE 8th Ave

AP: O-12

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	03/01/2016	<b>Council Priority</b>	N/A
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<b>Department</b>	Amarillo Police Department
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## Agenda Caption

### PUBLIC HEARING – TEEN CURFEW RENEWAL:

This item conducts a public hearing to gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016. The Amarillo Police Chief will present data related to the Juvenile Curfew Ordinance and the Commission will receive comments from the public in order to determine if the curfew will be re-adopted, amended, or abolished per the requirements of Texas Local Government Code §370.002.

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

This is the first reading of an ordinance amending Chapter 10-3, Miscellaneous Offenses of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2013. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department.

## Agenda Item Summary

This item conducts a hearing gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016.

## Requested Action

Approval of the ordinance providing for a teen curfew in the same or similar format to the current ordinance.

## Funding Summary

N/A

## Community Engagement Summary

N/A

## City Manager Recommendation

This item is recommended for approval by the City Manager

ORDINANCE NO. 7587

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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WHEREAS, by prior action effective March 18th, 2013, the City Council renewed the teen curfew for persons under the age of seventeen years, with the goals of both reducing crime committed by juveniles and, reducing the number of juveniles who are victimized by night crimes; and

WHEREAS, by state law the City Council must conduct public hearings and review such ordinance every three years, and either renew it or allow it to lapse; and,

WHEREAS, at a minimum the City Council has conducted a public hearing upon each reading of this ordinance, and now finds that peer pressure to be out late at night continues to be a factor in teen behavior, whether it be for law abiding or criminal purposes; and

WHEREAS, the City Council now finds that persons under the age of seventeen continue to be particularly vulnerable to crime victimization late at night; and

WHEREAS, the City of Amarillo continues to have a vital interest in: protecting persons under the age of seventeen by limiting the opportunities for victimization; requiring parental control and responsibility for youth; and, protecting the public from irresponsible acts committed by certain youth; and

WHEREAS, upon review of the experience of other cities with teen curfews and, the experience within the City of Amarillo itself, as documented in police statistics and information, the City Council now finds that the public health, safety, and welfare continues to be served by renewing the existing curfew, which forecloses constitutionally unprotected conduct by persons under the age of seventeen years, during late hours of the night when the likelihood of adult supervision is the least;

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

**SECTION 1.** That Chapter 10-3, "Miscellaneous Offenses", of the Amarillo Municipal Code is hereby amended as follows:

## CHAPTER 10

## ARTICLE VI. CURFEW HOURS FOR MINORS

**Sec. 10-3-71. Definitions.**

- (A) *Curfew Hours* means 12:01 a.m. until 6:00 a.m. daily.
- (B) *Emergency* means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (C) *Establishment* means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment
- (D) *Guardian* means:
  - 1. a person who, under court order, is the guardian of the person of a minor; or
  - 2. a public or private agency with whom a minor has been placed by a court.
- (E) *Minor* means any person under 17 years of age.
- (F) *Operator* means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- (G) *Parent* means a person who is:
  - 1. a natural parent, adoptive parent, or step-parent of another person; or
  - 2. at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
- (H) *Public Place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
- (I) *Remain* means to:
  - 1. linger or stay; or
  - 2. fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- (J) *Serious Bodily Injury* means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

**Sec. 10-3-72. Offenses.**

- (A) A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.
- (B) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.
- (C) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

**Sec. 10-3-73. Defenses.**

- (A) It is a defense to prosecution under Offenses that the minor was:
  - 1. accompanied by the minor's parent or guardian;

2. on an errand at the direction of the minor's parent or guardian, without any detour or stop;
  3. in a motor vehicle involved in interstate travel;
  4. engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
  5. involved in an emergency;
  6. on the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the Police Department about the minor's presence;
  7. attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Amarillo, a civic organization, or another similar entity that has undertaken responsibility for the minor, or going to or returning home from such activity, without any detour or stop.
  8. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
  9. married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
- (B) It is a defense to prosecution under Section 10-3-72-(C) that the owner, operator, or employee of an establishment promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

**Sec. 10-3-74. Enforcement.**

- (A) Before taking any enforcement action under this Section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Section 10-3-73 is present.

**Sec. 10-3-75. Penalties.**

- (A) A person who violates a provision of this Chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.
- (B) When required by Section 51.08 of the Texas Family Code, as amended, the Municipal Court shall waive original jurisdiction over a minor who violates Section 10-3-72-(A) and shall refer the minor to juvenile court.

**SECTION 2.** The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the

provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Commission of the City of Amarillo hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION 4.** If any part, provision, or clause of this ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this ordinance.

**SECTION 5.** This ordinance shall become effective ten (10) days after the date of its second publication as required by the Charter of the City of Amarillo.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on the 1st day of March, 2016; and PASSED on Second and Final Reading on the 8<sup>th</sup> day of March, 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 1, 2016	<b>Council Priority</b>	Infrastructure
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<b>Department</b>	Planning
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## Agenda Caption

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

This is the first reading of an ordinance amending Ordinance No. 7559 that was approved by the City Council on October 13, 2015. This amendment is to correct a clerical error relating to the Legal Description of the Drainage Easement that was vacated and abandoned; and providing an effective date. This amendment is recommended by the Planning Department.

## Agenda Item Summary

This Ordinance is being passed for the sole purpose of correcting a clerical error made in Section 1 of No. 7559 and the Exhibit attached thereto.

## Requested Action

Planning and Legal Staff have reviewed the associated Ordinance and exhibit and recommends the City Council approve the item as submitted.

## Funding Summary

N/A

## Community Engagement Summary

Ordinance No. 7559, vacated a 154.59 acre blanket Drainage Easement in the vicinity of Tascosa Road and Ravewood Drive. The item was distributed to all applicable internal and external entities. No objections were received. The item was recommended for approval by the Planning and Zoning Commission at its Public Meeting of September 28, 2015. The City Council approved the item on October 13, 2015.

## Staff Recommendation

Staff recommends the approval of this Ordinance.

ORDINANCE NO. 7588

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS AMENDING ORDINANCE NO. 7559 TO CORRECT A CLERICAL ERROR RELATING TO THE LEGAL DESCRIPTION OF THE DRAINAGE EASEMENT BEING VACATED AND ABANDONED; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, on October 13, 2015 the Amarillo City Council passed Ordinance 7559 determining a lack of public necessity and purpose for a Drainage Easement in the vicinity of Tascosa Road and Ravenwood Drive in Amarillo, Potter County, Texas and vacating and abandoning said Drainage Easement; and

WHEREAS, Ordinance 7559 and an attached Exhibit was filed of record in the Official Public Records of Potter County, Texas, Instrument Number. 1283886 on November 16, 2015; and

WHEREAS, the legal location of the Drainage Easement set forth in Section 1 of Ordinance 7559 and in the attached Exhibit to Ordinance No. 7559 erroneously state that the Drainage Easement is in Sections 24 and 25, Block 9, BS&F Survey, Potter County, Texas whereas in fact the Drainage Easement is located in Sections 24 and 45, Block 9, BS&F Survey, Potter County, Texas; and

WHEREAS, the Amarillo City Council has determined that the erroneous location set forth in Ordinance 7559 and in the Exhibit to Ordinance No. 7559 were the result of a clerical error; and

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

SECTION 1. That Section 1 of Ordinance 7559 and the Exhibit attached thereto are hereby amended by changing said documents to reflect that the location of the Drainage Easement is in Sections 24 and 45 , Block 9, BS&F Survey Potter County, Texas and not in Sections 24 and 25, Block 9, BS&F Survey, Potter County Texas.

SECTION 2. This Ordinance is being passed for the sole purpose of correcting a clerical error made in Section 1 of No. 7559 and the Exhibit attached thereto, which Ordinance shall remain in full force and effect save and except as corrected by this Ordinance.

SECTION 3. This Ordinance shall become effective upon its second and final reading

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on first reading on this \_\_\_\_ day of \_\_\_\_\_, 2016 and passed on Second and final reading on this \_\_\_\_ day \_\_\_\_\_, 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
France Hibbs, City Secretary

ORDINANCE NO. 7559

AN ORDINANCE DETERMINING LACK OF PUBLIC NECESSITY FOR A DRAINAGE EASEMENT IN THE VICINITY TASCOSA ROAD AND RAVENWOOD DRIVE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED DRAINAGE EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

1483886 11/16/2015 10:30 AM Total Pages: 2  
Julie Smith, County Clerk - Potter County, Texas

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described DRAINAGE EASEMENT; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1: That the herein-described DRAINAGE EASEMENT be vacated and abandoned for public purposes:

Vacation of a 154.59 acre Drainage Easement in Sections 24 and 25, Block 9, BS&F Survey, Potter County, Texas as described by the instrument filed of record in the Official Public Records of Potter County, Volume 4332, Page, 8.

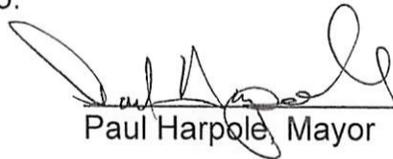
SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3: All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4: In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

SECTION 5: This Ordinance shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 6th day of October 2015; and PASSED on Second and Final Reading this the 13th day of October 2015.

  
Paul Harpole, Mayor

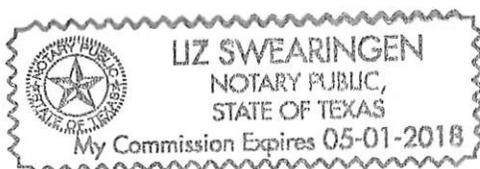
ATTEST:

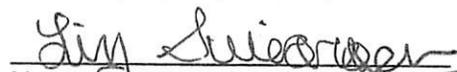
  
Frances Hibbs, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §  
  §  
COUNTY OF POTTER §

This instrument was acknowledged before me on the 13th day of October 2015, by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

  
LIZ SWEARINGEN  
NOTARY PUBLIC,  
STATE OF TEXAS  
My Commission Expires 05-01-2018

  
Notary Public in and for the  
State of Texas

Return to:  
**FRANCES HIBBS**  
City Secretary, City of Amarillo  
P.O. Box 1971

# FILED and RECORDED

Instrument Number: 1283886

Filing and Recording Date: 11/16/2015 10:30:31 AM Pages: 2 Recording Fee: \$16.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Potter County, Texas.



A handwritten signature in cursive script that reads "Julie Smith".

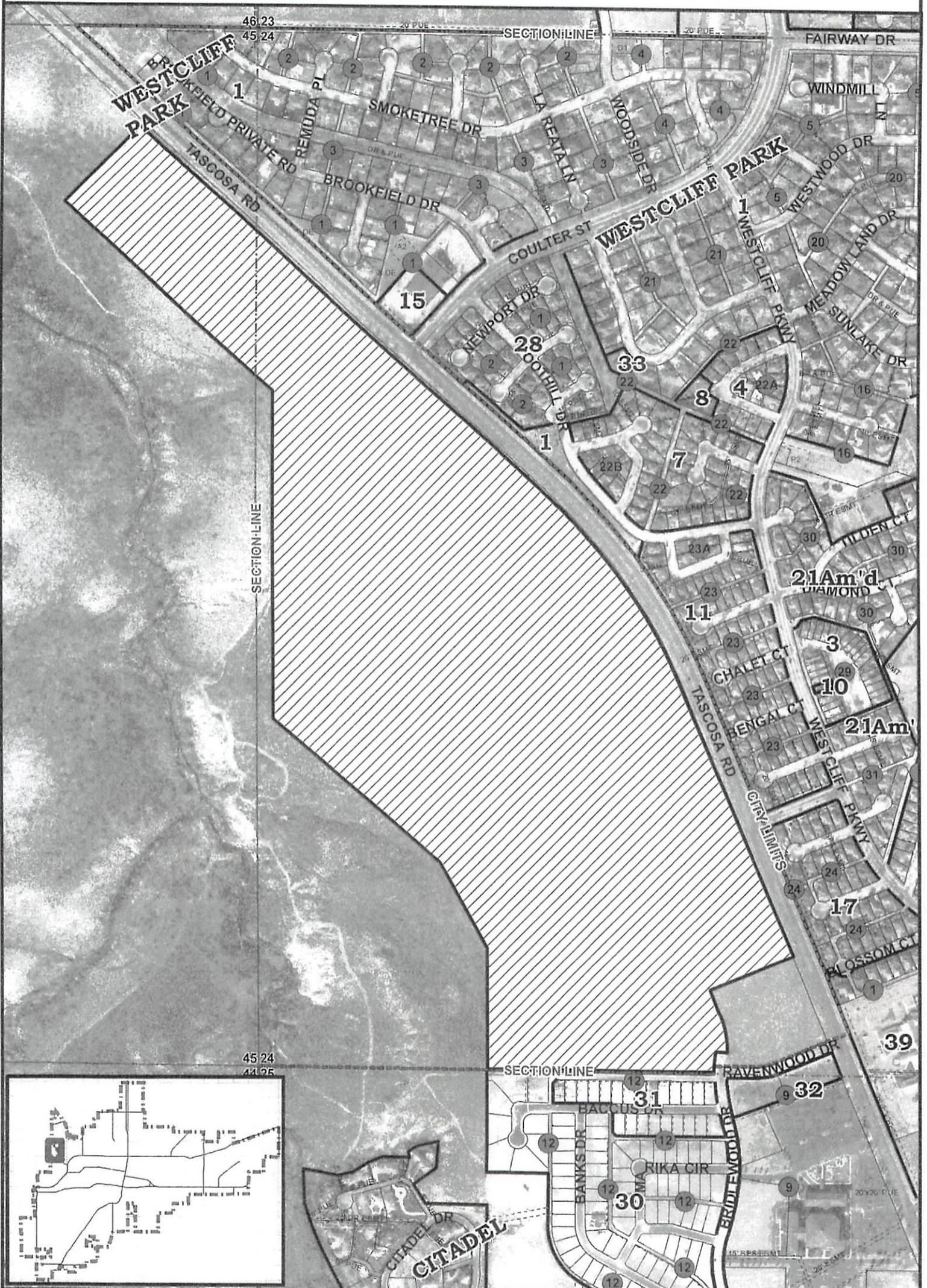
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Julie Smith, County Clerk  
Potter County, Texas

**DO NOT DESTROY - This document is part of the Official Public Record.**

lhinojosa

# VACATION OF DRAINAGE EASEMENT



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

**Scale:** 1" = 400'  
**Date:** 9-10-15  
**Case No:** V-15-04



V-15-04 Vacation of a 154.59 acre Drainage Easement  
in Sections 24 and 25, Block 9, BS&F Survey, Potter  
County, Texas.

**Applicant:** James Morgan

**Vicinity:** Tascosa Rd & Ravenwood Dr

AP: I-10 & J-10

# Amarillo City Council Agenda Transmittal Memo



6

<b>Meeting Date</b>	March 8, 2016	<b>Council Priority</b>	Community Appearance & Address Disadvantaged Areas of the Community
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<b>Department</b>	Building Safety
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## Agenda Caption

This resolution sets the date to hold a public meeting to conduct a public hearing on and consider ordering the removal of substandard structures located at 1210 NW 12<sup>th</sup> Avenue.

## Agenda Item Summary

This item sets the date for a public hearing to determine if the property at 1210 NW 12<sup>th</sup> Avenue which consists of one main and one accessory structure constitutes a public nuisance and thereby declared as dangerous structures and order the removal of such.

## Requested Action

Adopt the resolution to establish the date for a public hearing.

## Funding Summary

The property owner is responsible to pay all costs associated with the Dangerous Structure process and to abate any nuisances. The property owner will be billed for costs incurred. However, this property is in the Community Development Block Grant (CDBG) target area and if the owner qualifies, CDBG funding may be utilized to pay invoiced costs.

## Community Engagement Summary

- Building Safety continues to receive complaints from citizens concerning this property. The property was originally written up under the previous condemnation process in January 2002.
- A Building Safety Inspector identified the burned structure while canvassing the neighborhood in the normal course of duties. Posted the property as unsafe. Initiated the Dangerous Structure process.
- The Amarillo Police Department has been called out to this location 4 times in the past five years.
- Safety and aesthetics of the community as identified through public meetings in the development of Amarillo's Comprehensive Plan.

## Staff Recommendation

It is the staff's recommendation to adopt the resolution setting the date for a public hearing.



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

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE A PUBLIC NUISANCE AT THE LOCATION(S) STATED; PROVIDING FOR NOTICE.

---

WHEREAS, the Building Official has determined that the conditions described below are unsafe and dangerous and must be abated by demolition and/or removal from the premises; and,

WHEREAS, the Building Official has given notice of the nuisance to the Interested Persons of each of the properties as required by the ordinances of the City; and,

WHEREAS, the Interested Persons whose name appear below in connection with the description of the various improvements and/or conditions have failed, neglected or refused to comply with such notice by the Building Official;

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

SECTION 1. This Council shall conduct a public hearing on the 29th day of March, 2016 at 5:00 o'clock p.m. in its Council Chambers in the Municipal Building in the City of Amarillo, Potter County, Texas, for the purpose of determining whether the conditions described below are a dangerous structure and/or a public nuisance, and the Interested Persons whose name appear below are hereby summoned to appear before this Council at such time and place and testify as to the issue to be decided.

Street Address, Legal Description, Interested Persons & Address and Nature of Nuisance

ADDRESS: 1210 NW 12th Ave

LEGAL: Lot: Entire block; Block: 2, Clarence Watley's Subdivision of Wheatley Addition to the City of Amarillo, Potter County, TX;

INTERESTED PERSONS: Bobby D Hill, 1210 NW 12th Ave, Amarillo TX 79107-3307

NATURE OF NUISANCE: This property consists of one fire damaged residential structure, one detached accessory building and an accumulation of solid waste. Both structures are open with severe deterioration due to exposure to the elements. Little effort has been made to remove or abate these hazards. These structures are considered to be fire, health and safety hazards and a nuisance to the community.

SECTION 2. A copy of this resolution shall be mailed to the Interested Persons of the premises described below at least ten (10) days prior to the date herein set for the public hearing, and notice of said hearing shall be published one (1) time in a newspaper of general circulation in the City of Amarillo, Texas.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this \_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

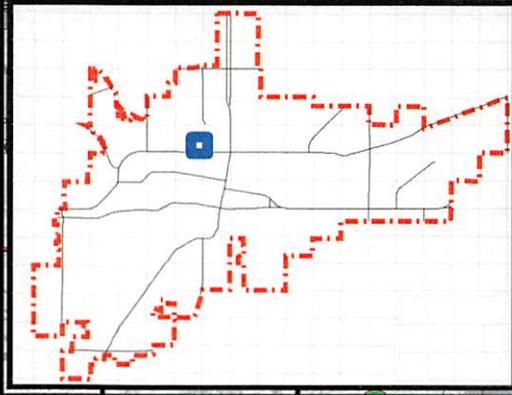
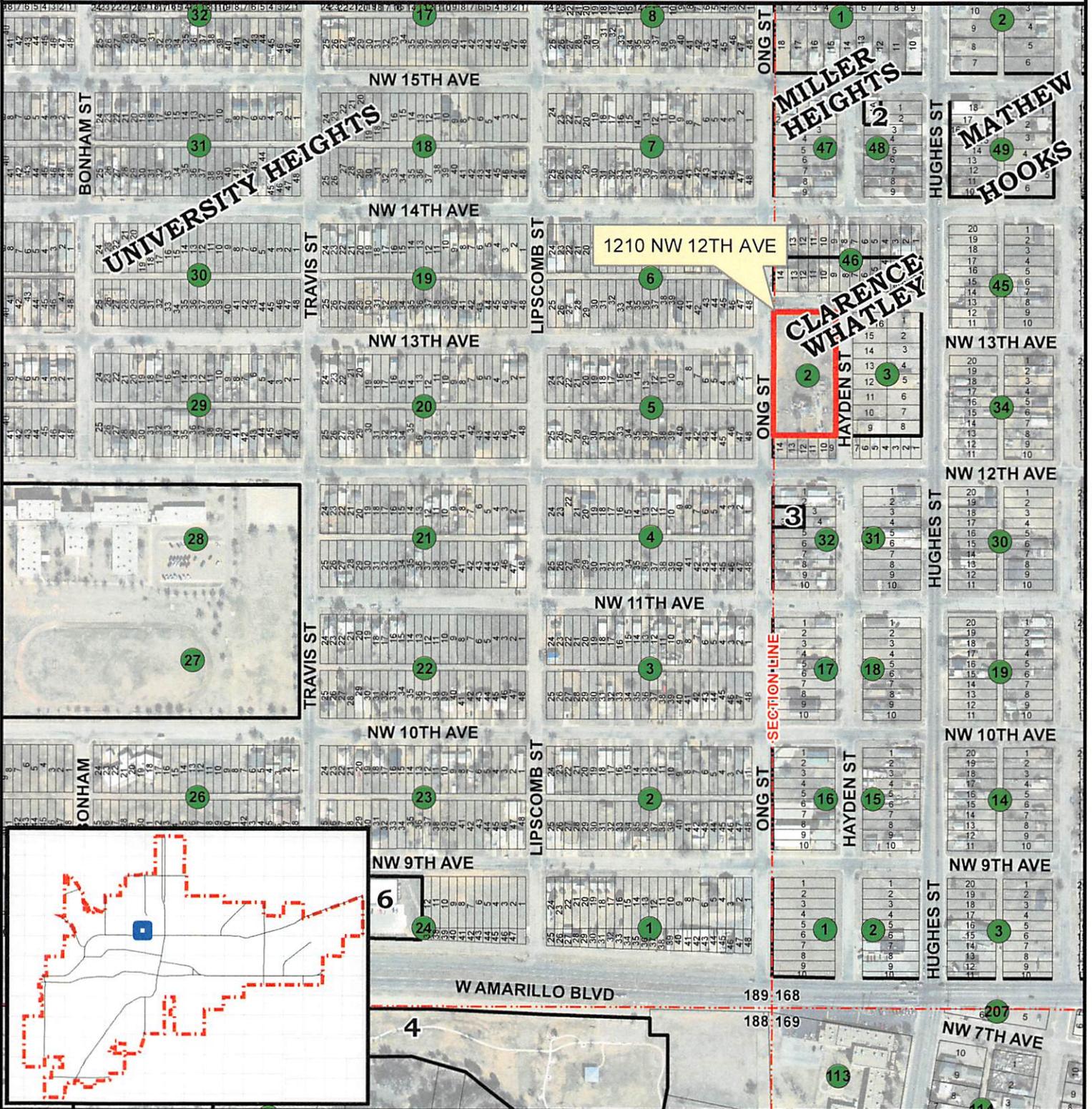


02/24/2016



02/24/2016

# DANGEROUS STRUCTURE AT 1210 NW 12TH AVE



**CITY OF AMARILLO  
BUILDING SAFETY DEPARTMENT**

1210 NW 12th Ave - Entire Block, Block 2, Clarence Watley's Subdivision of Wheatley Addition Unit No. 1, Section 168, Block 2, AB&M Survey, Potter County, Texas.

Scale: 1" = 400'  
Date: 2-9-16  
Vicinity: NW 12th Ave & N Ong St



Parcel # 086-1250-1250

AP: N-10

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	03/08/16	<b>Council Priority</b>	Community Appearance
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<b>Department</b>	Parks & Recreation – Golf Complexes
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**Agenda Caption**

Purchase – Fertilizer  
Award to low responsive bidders as follows:

Pro Chem Sales Lines 1,2,8,12	\$ 56,292.90
Harrells LLC Line 3	\$ 6,000.00
Spra-Green Line 4	\$ 681.60
BWI Dallas/Fort Worth Lines 5,6,7,9,10,11	\$ 77,497.20
<b>Total Award</b>	<b>\$140,471.70</b>

This item approves the annual purchase of various fertilizers. These items are used throughout the year at the Ross Rogers and Comanche Trail Golf Complexes. The total bid price reflects a decrease of 2.2% from last year's contract. Funding is available in the approved FY 2015-2016 operating budgets for the Ross Rogers and Comanche Trail Golf Departments.

**Agenda Item Summary**

Approval of the Annual Fertilizer Contract for Ross Rogers and Comanche Trail Golf Complexes

**Requested Action**

Consider approval of the annual fertilizer program contract for both Ross Rogers and Comanche Trail Golf Complexes for the total amount of \$140,471.70.

**Funding Summary**

1811.51450 and 1812.51450

**Community Engagement Summary**

N/A

**Staff Recommendation**

Parks and Recreation Administration recommends this approval for the annual fertilizer program for both Ross Rogers and Comanche Trail Golf Complexes.

To be awarded as one lot	PRO CHEM SALES	HARRELLS LLC	SPRA-GREEN	BWI DALLAS/FTWORTH	HUMPHRIES FARM & TURF SUPPLIES	SITEONE LANSCAPE SUPPLY LLC	WINFIELD SOLUTIONS LLC	GOLF ENVIRO SYSTEMS
Line 1 Fertilizers and Soil Conditioners 50 LB Bags (14-0-14) +11% to be coated infused with acelepryn 0, per specifications 1,250 ea								
Unit Price	\$30.730	\$36.05	\$19.770	\$0.00	\$0.00	\$34.92	\$37.32	\$35.80
Extended Price	38,412.50	45,062.50	24,712.50	-	-	43,650.00	46,650.00	44,750.00
			(DID NOT MEET SPECS)					
Line 2 Fertilizers and Soil Conditioners 50 LB Bags All Seasons (19-6-12) with polyon 43, slow release, per specifications 1,000 ea								
Unit Price	\$14.280	\$22.05	\$19.000	\$0.00	\$0.00	\$0.00	\$15.05	\$23.70
Extended Price	14,280.00	22,050.00	19,000.00	-	-	-	15,050.00	23,700.00
Line 3 Fertilizers and Soil Conditioners 50 LB Bags Micro Green 10 (10-4-16) plus 3% iron, per specifications 200 ea								
Unit Price	\$33.370	\$30.00	\$17.180	\$0.00	\$0.00	\$33.21	\$0.00	\$32.90
Extended Price	6,674.00	6,000.00	3,436.00	-	-	6,642.00	-	6,580.00
			(DID NOT MEET SPECS)					
Line 4 Fertilizers and Soil Conditioners 18-9-18 contec dg, sign75, 40 lb bag, per specifications 40 ea								
Unit Price	\$0.000	\$0.00	\$17.040	\$52.90	\$52.90	\$0.00	\$52.90	\$52.90
Extended Price	-	-	681.60	2,116.00	2,116.00	-	2,116.00	2,116.00
Line 5 Fertilizers and Soil Conditioners 10-0-10 (.067 Acelepryn) 1000 lb bags nitrogen source to ammonium sulfate and potassium source to be sulfate of potash, per specifications 66 ea								
Unit Price	\$719.570	\$749.00	\$0.000	\$709.30	\$0.00	\$0.00	\$473.39	\$798.00
Extended Price	47,491.62	49,434.00	-	46,813.80	-	-	31,243.74	52,668.00
			(RETRACKED BID)					

To be awarded as one lot	PRO CHEM SALES	HARRELLS LLC	SPRA-GREEN	BWI DALLAS/FTWORTH	HUMPHRIES FARM & TURF SUPPLIES	SITEONE LANSCAPE SUPPLY LLC	WINFIELD SOLUTIONS LLC	GOLF ENVIRO SYSTEMS
Line 6 Fertilizers and Soil Conditioners 9-9-9+11% iron 1000 lb bags, per specifications								
60 ea								
Unit Price	\$307.470	\$341.00	\$294.920	\$245.10	\$0.00	\$0.00	\$326.75	\$298.00
Extended Price	18,448.20	20,460.00	17,695.20	14,706.00			19,605.00	17,880.00
Line 7 Fertilizers and Soil Conditioners 18-12-6 50% slow release, sgn 240 or less 1000 lb bags, per specifications								
40 ea								
Unit Price	\$322.160	\$340.00	\$312.080	\$280.80	\$0.00	\$0.00	\$293.21	\$284.00
Extended Price	12,886.40	13,600.00	12,483.20	11,232.00			11,728.40	11,360.00
Line 8 Fertilizers and Soil Conditioners 18-3-6 2.5 gallon jug growth products, per specifications								
70 ea								
Unit Price	\$36.410	\$37.00	\$0.000	\$90.00	\$0.00	\$30.13	\$0.00	\$41.40
Extended Price	2,548.70	2,590.00	-	6,300.00		2,109.10	-	2,898.00
(DID NOT MEET SPECS)								
Line 9 Fertilizers and Soil Conditioners green speed si (0-2-5) 2.5 gallon jug growth products, per specifications								
22 ea								
Unit Price	\$48.290	\$44.28	\$0.000	\$48.00	\$0.00	\$0.00	\$0.00	\$53.90
Extended Price	1,062.38	974.16	-	1,056.00				1,185.80
(DID NOT MEET SPECS)								
Line 10 Fertilizers and Soil Conditioners essential plus 1-0-1 2.5 gallon jug, growth products, per specifications								
26 ea								
Unit Price	\$103.190	\$52.00	\$0.000	\$100.55	\$0.00	\$0.00	\$0.00	\$107.90
Extended Price	2,682.94	1,352.00	-	2,614.30				2,805.40
(DID NOT MEET SPECS)								

To be awarded as one lot	PRO CHEM SALES	HARRELLS LLC	SPRA-GREEN	BWI DALLAS/FTWORTH	HUMPHRIES FARM & TURF SUPPLIES	SITEONE LANSCAPE SUPPLY LLC	WINFIELD SOLUTIONS LLC	GOLF ENVIRO SYSTEMS
Line 11 Fertilizers and Soil Conditioners, cal-tec, 2.5 gallon jug, growth products, per specifications								
26 ea								
Unit Price	\$41.700	\$25.70	\$0.000	\$41.35	\$0.00	\$0.00	\$0.00	\$46.90
Extended Price	1,084.20	668.20	-	1,075.10	-	-	-	1,219.40
	(DID NOT MEET SPECS)							
Line 12 Fertilizers and Soil Conditioners, micrel totals 5-0-0, 2.5 gallon jug, growth products, per specifications								
26 ea								
Unit Price	\$40.450	\$33.00	\$0.000	\$64.25	\$0.00	\$0.00	\$0.00	\$69.90
Extended Price	1,051.70	858.00	-	1,670.50	-	-	-	1,817.40
	(DID NOT MEET SPECS)							
Line 13 Fertilizers and Soil Conditioners, iron maid 15-0-0, 55 gallon drum, floratine golf products, per specifications								
6 ea								
Unit Price	\$0.000	\$567.42	\$0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price	-	3,404.52	-	-	-	-	-	-
	(THIS IS NOT BEING AWARDED AT THIS TIME) (DID NOT MEET SPECS)							
Line 14 Fertilizers and Soil Conditioners, Astron 2.5 gallon jug floratine products, per specifications								
20 ea								
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price	-	-	-	-	-	-	-	-
	(THIS IS NOT BEING AWARDED AT THIS TIME)							
Line 15 Fertilizers and Soil Conditioners, Protesyn 2.5 gallon jugs floratine products per specifications								
20 ea								
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price	-	-	-	-	-	-	-	-
	(THIS IS NOT BEING AWARDED AT THIS TIME)							
Bid Total	146,622.64	166,453.38	78,008.50	87,583.70	2,116.00	52,401.10	126,393.14	168,980.00
Award by Vendor	56,292.90	6,000.00	681.60	77,497.20				

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	February 23rd, 2016	<b>Council Priority</b>	N/A
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**Department** Police, Airport Police Department, Fire Marshall

Police - \$95,774.88

Airport Police Department - \$2,770.11

Fire Marshall - \$1,091.29

**Agenda Caption**

Purchase: Ammunition:

Award to low bidder. -- \$99,636.28

The item is the purchase of ammunition for use by the Amarillo Police Department and the Amarillo Shooting Complex. The purchase includes duty and training ammunition for the Amarillo Police Department and ammunition for sale at the Complex. Funding for this purchase is available in the approved FY 2015-2016 Police Department operating budget. Airport Police Department 54110.52000 Fire Marshall 1930.52000

**Agenda Item Summary**

The item is the purchase of ammunition for use by the Amarillo Police Department and the Amarillo Shooting Complex. The purchase includes duty and training ammunition for the Amarillo Police Department and ammunition for sale at the Complex. Funding for this purchase is available in the approved FY 2015-2016 Police Department operating budget.

**Requested Action**

Request the Council's approval for the purchase of ammo to maintain our training and day to day operational needs.

**Funding Summary**

1610.52000/No State or Federal funds will be used for this purchase. Current account balance is \$171,638.08

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff recommends approval.

Bid No. 5276 AMMUNITION FOR SHOOTING RANGE, NARCOTICS, SWAT, AIRPORT, FIRE  
 Opened 4:00 p.m. January 18, 2016

To be awarded by line	ATLANTA ARMS	KINETIC INDUSTRIES LLC	COMMONWEALTH AMMUNITION LLC	PRECISION DELTA CORPORATION	GT DISTRIBUTORS INC	BAILEY'S HOUSE OF GUNS INC
Line 1 Ammunition Stock # P40HST1, per specifications						
1 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$368.13	\$0.00
Extended Price	-	-	-	-	368.13	-
Line 2 Ammunition Stock # P9HST2, per specifications						
4 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$297.08	\$0.00
Extended Price	-	-	-	-	1,188.32	-
Line 3 Ammunition Stock # 24445SP per specifications						
2 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$264.79	\$0.00
Extended Price	-	-	-	-	529.58	-
Line 4 Ammunition Stock # USA223R1, per specifications						
4 ca						
Unit Price	\$380.000	\$338.89	\$0.000	\$409.98	\$171.02	\$328.87
Extended Price	1,520.00	1,355.56	-	1,639.92	684.08	1,315.48
Line 5 Ammunition American Eagle, per specifications						
200 ca						
Unit Price	\$205.000	\$264.68	\$250.000	\$172.98	\$205.22	\$205.16
Extended Price	41,000.00	52,936.00	50,000.00	34,596.00	41,044.00	41,032.00

To be awarded by line	ATLANTA ARMS	KINETIC INDUSTRIES LLC	COMMONWEALTH AMMUNITION LLC	PRECISION DELTA CORPORATION	GT DISTRIBUTORS INC	BAILEY'S HOUSE OF GUNS INC
Line 6 Ammunition Federal HST, per specifications						
3 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$400.42	\$0.00
Extended Price	-	-	-	-	1,201.26	-
Line 7 Ammunition Winchester, per specifications						
100 ca						
Unit Price	\$380.000	\$338.89	\$310.000	\$409.98	\$171.02	\$328.87
Extended Price	38,000.00	33,889.00	31,000.00	40,998.00	17,102.00	32,887.00
Line 8 Ammunition Federal HST, per specifications						
45 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$297.08	\$0.00
Extended Price	-	-	-	-	13,368.60	-
Line 9 Ammunition Speer, per specifications						
30 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$264.79	\$0.00
Extended Price	-	-	-	-	7,943.70	-
Line 10 Ammunition American Eagle, per specifications						
3 ca						
Unit Price	\$330.000	\$297.03	\$0.000	\$0.00	\$324.94	\$0.00
Extended Price	990.00	891.08	-	-	974.82	-
Line 11 Ammunition American Eagle, no. AE380AP per specifications						
2 ca						
Unit Price	\$285.000	\$1,374.00	\$270.000	\$0.00	\$165.32	\$0.00
Extended Price	570.00	2,748.00	540.00	-	330.64	-

To be awarded by line	ATLANTA ARMS	KINETIC INDUSTRIES LLC	COMMONWEALTH AMMUNITION LLC	PRECISION DELTA CORPORATION	GT DISTRIBUTORS INC	BAILEY'S HOUSE OF GUNS INC
Line 12 Ammunition American Eagle,no. AE40R3 per specifications						
1 ca						
Unit Price	\$35.000	\$35.80	\$0.000	\$0.00	\$262.23	\$0.00
Extended Price		35.00	35.80	-	-	262.23
Line 13 Ammunition American Eagle,no. AE9DP per specifications						
2 ca						
Unit Price	\$199.000	\$270.12	\$230.000	\$0.00	\$205.22	\$0.00
Extended Price		398.00	540.24	460.00	-	410.44
Line 14 Ammunition Winchester, per specifications						
20 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$9.12	\$0.00
Extended Price		-	-	-	-	182.40
Line 15 Ammunition Stock # P9HST2, per specifications						
3 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$14.85	\$0.00
Extended Price		-	-	-	-	44.55
Line 16 Ammunition Stock # P40HST1, per specifications						
2 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$18.41	\$0.00
Extended Price		-	-	-	-	36.82
Line 17 Ammunition Federal HST 40 S&W, per specifications						
1 ca						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$20.02	\$0.00
Extended Price		-	-	-	-	20.02

To be awarded by line	ATLANTA ARMS	KINETIC INDUSTRIES LLC	COMMONWEALTH AMMUNITION LLC	PRECISION DELTA CORPORATION	GT DISTRIBUTORS INC	BAILEY'S HOUSE OF GUNS INC
Line 18 Ammunition American Eagle 9MM 124GR, per specifications						
2 ca						
Unit Price	\$225.000	\$264.68	\$250.000	\$172.98	\$205.22	\$0.00
Extended Price	450.00	529.36	500.00	345.96	410.44	-
Line 19 Ammunition .40 CAL American Eagle, per specifications						
2 ca						
Unit Price	\$265.000	\$313.02	\$0.000	\$201.48	\$262.23	\$0.00
Extended Price	530.00	626.04	-	402.96	524.46	-
Line 20 Ammunition 45 American Eagle, per specifications						
1 ca						
Unit Price	\$320.000	\$337.18	\$350.000	\$240.98	\$324.94	\$0.00
Extended Price	320.00	337.18	350.00	240.98	324.94	-
Line 21 Ammunition American Eagle 62 Grain, per specifications						
32,000 ca						
Unit Price	\$380.000	\$0.34	\$0.310	\$0.41	\$0.34	\$0.00
Extended Price	12,160,000.00	10,841.60	9,920.00	13,119.36	10,947.20	-
Line 22 Ammunition CCI Speer LE 223 Remington, per specifications						
5,000 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.53	\$0.00
Extended Price	-	-	-	-	2,648.00	-
Line 23 Ammunition Federal Premium, 9MM, per specifications						
2,000 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.30	\$0.00
Extended Price	-	-	-	-	594.20	-

To be awarded by line	ATLANTA ARMS	KINETIC INDUSTRIES LLC	COMMONWEALTH AMMUNITION LLC	PRECISION DELTA CORPORATION	GT DISTRIBUTORS INC	BAILEY'S HOUSE OF GUNS INC
Line 24 Ammunition Lapua Scenar.338 Lupua ,per specifications 500 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$4.95	\$0.00
Extended Price	-	-	-	-	2,475.00	-
NO AWARD						
Line 25 Ammunition Stock # FC-GM308M ,per specifications 5,000 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.84	\$0.00
Extended Price	-	-	-	-	4,198.00	-
Line 26 Ammunition 9MM,115 FMJ Practice Ammo ,per specifications 14,000 rd						
Unit Price	\$205.000	\$0.27	\$0.230	\$0.17	\$0.20	\$0.00
Extended Price	2,870,000.00	3,781.40	3,220.00	2,366.00	2,794.40	-
Line 27 Ammunition Simunition 5.56,per specifications 3,000 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.61	\$0.00
Extended Price	-	-	-	-	1,839.60	-
NO AWARD						
Line 28 Ammunition Simunition 9MM,per specifications 2,000 rd						
Unit Price	\$0.000	\$0.00	\$0.000	\$0.00	\$0.50	\$0.00
Extended Price	-	-	-	-	999.00	-
NO AWARD						
Bid Total	15,113,813.00	108,511.26	95,990.00	93,709.18	113,446.83	75,234.48
Award by Vendor	433.00	891.08	9,920.00	37,951.90	50,440.30	

## **BOARDS AND COMMISSIONS – VACANCIES**

### Amarillo Economic Development Corporation (3-year terms) – Executive Session

04/09/2013	Roy Bara	03/31/2016
04/09/2013	John Kritser	03/31/2016

### Board of Review-Landmarks & Historic District (3-year terms)

06/19/2001	Carson Burgess	05/21/2015
08/27/2008	Kim Crawford	05/21/2016
11/27/2012	L.V. Perkins	05/21/2015
11/27/2012	Tom Thatcher	05/21/2015
07/13/2004	Mason Rogers	05/21/2016 (resigned)
09/23/2008	Howard Smith	05/21/2016 (resigned)

### Construction Advisory and Appeals Board (3-year terms) – Executive Session

09/13/2005	Gary Ward	12/31/2015 - Heating and Air
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