

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 5th day of April 2016, the Amarillo City Council met at 3:30 p.m. for a work session, executive session, and the regular session held at 5:00 p.m. in the Council Conference Room and 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 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 Pastor Anthony Harris, St. John Baptist Church. Mayor Harpole led the audience in the Pledge of Allegiance.

A proclamation was presented for Sexual Assault Awareness Month.

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 March 29, 2016. Motion was made by Councilmember Burkett to approve the minutes as amended; motion was seconded by Councilmember Nair, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance amending the Amarillo Municipal Code, Chapter 10-3, Article IV, Section 10-3-45 prohibiting camping on municipal facilities and publicly owned property. Mr. McKamie stated a change was recommended by the ad hoc subcommittee to add a new definition for camping. Mayor Harpole stated the ordinance does not suppress the homeless but deals with the legal issues. Councilmember Nair stated the need to look into why people do not use the shelters. Councilmember Demerson stated Council had previously received information that the homeless were charged a \$10 per night fee. Mr. Allen has research this issue and has reported that any person is allowed to stay for 30 consecutive days without costs. They may be assessed \$10 per night after 30-days with some exceptions such as families. Motion was made by Councilmember Nair, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7596

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 10-3, ARTICLE IV, SECTION 10-3-45 PROHIBITING CAMPING ON MUNICIPAL FACILITIES AND PUBLICLY OWNED PROPERTY AND PROVIDING AFFIRMATIVE DEFENSES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A 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 3: Mayor Harpole presented an ordinance rezoning Lots 7-18, Block 2, Mrs. M.D. Oliver-Eakle's subdivision of Block 228, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas, to change from Planned Development District 111B to Planned Development 111C for additional storage in the vicinity of Taylor Street and Southeast 17<sup>th</sup> Avenue. This item is recommended for approved by a 7:0 vote of

the Planning and Zoning Commission. Mr. Shaw stated this request is for expansion of an existing storage which does allow for office and storage areas. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7597

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHEAST 17<sup>TH</sup> AVENUE AND TAYLOR STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; 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 4: Mayor Harpole presented an ordinance rezoning of Lot 3A, Block 74, Ridgecrest Unit No. 57, and Lot 4A, Block 74, Ridgecrest Unit No. 55, all in Section 7, Block 9, BS&F Survey, Randall County, Texas, to change from General Retail District to Planned Development District for an office and storage warehouse in the vicinity of Teckla Boulevard and Ridgecrest Circle. This item was recommended for approval by a 7:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7598

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF TECKLA BOULEVARD AND RIDGECREST CIRCLE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; 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: Mr. Childers stated the owner of the property at 827 North Apache Street had signed a voluntary release. This item was stricken from the agenda.

ITEM 6: Mayor Harpole presented a resolution adopting and creating a Council Subcommittee on Economic Development Incentive Policies and Guidelines and the appointment of Councilmembers to the Subcommittee. Mr. Childers stated last week Council discussed the development of a subcommittee for Economic Development Incentives Policies and Guidelines and the need to appoint a committee to work with staff to develop those policies and guidelines. Mr. Childers further stated the committee would consider the adoption and levels of incentives, etc. Their work product will be brought back to the entire Council and to the community. Mayor Harpole stated this does not interfere with anything the AEDC is doing. Mr. Childers replied they would work on how to increase sales and property taxes. Councilmember Eades stated the public will be able to attend these meetings. Mr. Childers stated this committee will not be tied to agenda postings. They will tackle issues, bring in partners, and recommend a formal community engagement. Councilmember Eades asked that nominations to the committee be made next week. Motion was made by Councilmember Nair to adopt and create a Council Subcommittee on Economic Development Incentive Policies and Guidelines, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 04-05-16-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS ESTABLISHING A SUBCOMMITTEE TO SERVE AS ADVISORY COMMITTEE TO THE CITY COUNCIL AND TO WORK WITH CITY STAFF, PARTNERS AND STAKEHOLDERS IN THE DEVELOPMENT OF DRAFT ECONOMIC DEVELOPMENT POLICIES AND GUIDELINES.

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 which creates a Council Committee to serve as an audit advisory committee to provide and receive information from the City's independent auditor and assist in the oversight of the City's financing reporting. Mr. Childers stated two members of the Council would be appointed permanently to the audit advisory committee for the purpose of working with the financial director and the external auditor. The committee would review audit reports and assist in the selection of an external auditor. Councilmember Eades asked that nominations to the committee be made next week. Allen Finegold, 2601 North Grand Street, stated AEDC and the City should have a list or a portfolio of properties owned by the City and AEDC. Robert Goodrich, 4111 Stony Point, inquired if private citizens could serve on either committee. Mr. Childers stated the Council would work to develop policies, report back to the full Council and then engage the community in a public meeting for public comments. Motion was made by Councilmember Burkett to create a Council Committee to serve as an audit advisory committee, seconded by Councilmember Eades, that the following captioned resolution be passed:

RESOLUTION NO. 04-05-16-2

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CREATING AN  
AUDIT COMMITTEE AS AN ADVISORY COMMITTEE TO THE CITY  
COUNCIL REGARDING FINANCIAL INFORMATION, FINANCIAL  
REPORTS AND COMMUNICATIONS WITH THE CITY'S INDEPENDENT  
AUDITORS.

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 advised that appointments are needed for a certain board. Motion was made by Councilmember Burkett to nominate Brian Heinrick and Craig Gultiere to replace Roy Bara and John Kritser on the Amarillo Economic Development Corporation; motion was also made by Councilmember Eades to nominate Jody Holland and Laura Street to replace Roy Bara and John Kritser on the Amarillo Economic Development Corporation. The first motion was seconded by Councilmember Nair; the second motion was seconded by Mayor Harpole. Councilmember Nair inquired if interviewing candidates for boards was a new thing. Councilmember Burkett called the question. Councilmember Demerson inquired as to the point of order. Mr. McKamie stated the motions would be voted on in the order they were presented. Councilmember Burkett called the question. Councilmember Eades stated this Board appointment was an important decision. Mayor Harpole stated interviews were not a new process and many potential candidates have expressed an interest. Councilmember Nair stated there are procedures that need to be changed but only after the current process is completed. Councilmember Demerson called the question. Mayor Harpole stated he would like to hear more comments from the Council and allow for public comments. Councilmember Burkett called the question; Councilmember Nair seconded the call on the question. Councilmember Burkett repeated his motion to nominate Brian Heinrick and Craig Gultiere to replace Roy Bara and John Kritser on the Amarillo Economic Development Corporation, such terms to expire March 31, 2019.

Voting AYE were Councilmembers Demerson, Burkett and Nair; Voting NO were Mayor Harpole and Councilmember Eades; the motion carried by a 3:2 vote of the Council.

ITEM 9: Bob Cowell, Deputy City Manager, provided a presentation regarding the application for the 2016 U.S. Department of Transportation's Transportation Investment Generating Economic Recovery (TIGER) program for the purposes of securing funding assistance in the development of complete streets on Polk Street, 6<sup>th</sup> Avenue and other streets in the vicinity of downtown.

Councilmember Demerson inquired if the \$1.3 million set aside last year was still available. Mr. Cowell stated that money has been reallocated to the North Branch YMCA. Mr. Cowell replied that a resolution will be brought back to the Council at a future date that will allow reapplication of the TIGER grant. Allen Finegold, 2601 North Grand Street, stated last year he suggested something else be done such as creation of mini-malls along Polk Street. He further stated that the pathways should be put on 7<sup>th</sup>

Avenue instead of 6<sup>th</sup> Avenue. Andrew Holley, 4302 West 51<sup>st</sup> Avenue, inquired if research had been done about reducing the traffic on 6<sup>th</sup> Avenue. He felt the TIGER grant may not have been approved because it did not meet the standards because it would impinged transportation. Councilmember Nair asked if the traffic study was completed. Mr. Cowell stated it was and the study indicated that removal of lanes could still accommodate the traffic. Robert Goodrich, 4111 Stony Point, stated he suggested last year that the focus be exclusively on Polk Street from 11<sup>th</sup> Avenue to Amarillo Boulevard. James Schenek, 6216 Gainsborough Street, suggested a different perspective. He stated the grants were plaguing every step in government and the City needed to redo the streets within its own budget. Trina Fournier, 4427 South Hayden Street, inquired as to how much the property tax would need to be increased to pay for this program.

Mr. Childers stated Council had passed over Work Session A(3) and with Council's permission Ms. Bonner would present one of five presentations in preparation of the City's budget. Michelle Bonner, Assistant City Manager, gave a presentation on Budget Preparation Workshop on Total Debt.

ITEM 10: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Councilmember Nair asked for clarification of Item 10I. Mr. Shaw stated it was a business sign near a right-of-way attached to the ground. Motion was made by Councilmember Nair to approve the consent agenda, seconded by Councilmember Eades.

A. Award – Ballistic Vests for Amarillo Police Department:  
Nardis, Inc. -- \$80,940.00

This award is to approve a purchase of ballistic vests for the City of Amarillo Police Department.

B. Award – City of Amarillo Police Department Study:  
KRW Associates -- \$77,000.00

This item is to award a professional services contract for the completion of an organizational assessment of the Amarillo Police Department and delivery of a Comprehensive Review and Action Plan for the City of Amarillo.

C. Award – Janitorial Supplies Annual Contract:

Olmsted Kirk Paper Co.	\$7,217.76
Affiliated Foods	\$20,298.60
AFP Industries, Inc.	\$2,674.20
Pyramid School Products	\$117.60
OfficeWise	\$2,066.40
Sam Tell and Son, Inc.	\$4,284.20
Wagner Supply	\$2,472.84
LD Supply	<u>\$11,784.00</u>
Total	\$50,915.60

This award is to approve an annual contract for the purchase of janitorial supplies for the City of Amarillo.

D. Award – Advertising Annual Contract:  
Amarillo Globe News -- \$119,433.52

This award is to approve an annual contract for the purchase of advertising requirements for the City of Amarillo.

E. Approval - Summer Food Service Program Application:

This item approves the application to the 2016 Texas Department of Agriculture (TDA) Summer Lunch Application and Amarillo Independent School Contract for Summer Food Service. This program provides free meals to children at 53 sites in low-income neighborhoods from June 1 through August 12, 2016 and is administered by the Community Development Department. The program locations include 17 park sites, 34 school sites, and 2 community centers. AISD will prepare and deliver

meals to each site which is staffed and supervised by the Parks and Recreation Department, school district staff, or agency staff. Approximately 138,875 lunches and 105,975 snacks will be served.

F. Approval – Memorandum of Agreement (MOA) with the Federal Aviation Administration (FAA):

Lease Agreement: Rick Husband Amarillo International Airport

Lessee: Federal Aviation Administration (FAA) Number: DTFACN-16-L-0029

Term: 20 years (October 1, 2016 – September 30, 2036)

This item approves memorandum of agreement with the Federal Aviation Administration (FAA). This MOA identifies tracts of land for the operation of the FAA's Air Traffic Control Tower, as well as the Radar (RTR) site, with cable easements between both sites.

G. Approval – Agreement to Contribute Right of Way Funds (Fixed Price):

State of Texas -Texas Department of Transportation -- \$1,694,544.00

This item approves Agreement to Contribute Right of Way Funds (Fixed Price). The state has deemed it necessary to make certain highway improvements on SL 335 from FM 2590 to Bell Street.

H. Approval – City of Amarillo Investment Policy:

This item is the approval of the City of Amarillo 2016 Investment Policy.

I. Approval – License and Hold Harmless Agreement:

License and Hold Harmless Agreement for the installation of a monument in an existing public utility easement located within Lot 5, Block 1, Security Park Unit No. 1, in Section 27, Block 9, BS&F Survey, Potter County.

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.

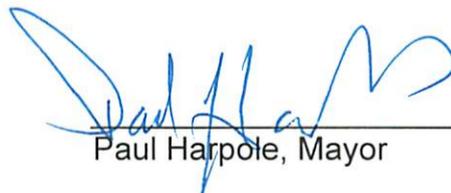
Mayor Harpole announced that this is the end of the regular agenda, but this time is reserved to hear from any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of City policy or decide whether to place an item on a future agenda. Robert Goodrich, 4111 Stony Point, suggested the City appoint a parliamentarian. James Schenek, 6216 Gainsborough Street, stated the need for the golf fees to assist with course maintenance. Carolyn Thornton, 4101 Southwest 45<sup>th</sup> Avenue, stated that law enforcement should be given any needed equipment. She also inquired how she could get the names on board appointments. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor