

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 2nd day of February 2016, the Amarillo City Council met at 3:00 p.m. for a closed session on the third floor, Room 303, City Council Conference Room, City Hall at 509 Southeast 7th Avenue, followed by a work session and at 5:00 p.m. for the regular session 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
ELISHA L. DEMERSON
BRIAN J. EADES
RANDY BURKETT

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3

Absent was Mark Nair. Also in attendance were the following administrative officials:

TERRY CHILDERS
WILLIAM MCKAMIE
KELLEY SHAW
FRANCES HIBBS

INTERIM CITY MANAGER
INTERIM CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by Alan Abraham. 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:

Mr. Childers introduced new City appointments and Division Directors: Bob Cowell, Deputy City Manager, William M. McKamie, City Attorney, Floyd Hartman, Director of Capital Projects and Development Engineering, Rich Gagnon, Information Technology Director, and Scott McDonald, Director of Community Safety and Regulatory Services.

There was a presentation to Amanda Barrera, Director of Library Services for an Achievement of Library Excellence Award.

ITEM 1: Mayor Harpole presented the minutes for January 26, 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 presented an ordinance rezoning Lots 11 and 12, Edgefield Addition, in Section 171, Block 3, AB&M Survey, Randall County, to change from Residential District 3 to Office District 1, in the vicinity of 34th Avenue and South Polk Street. It is recommended for approval by a 6:0 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. 7581

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHEAST 34TH AVENUE AND SOUTH POLK STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson and Eades; Voting NO were none; Councilmember Burkett abstained, the motion carried by a 3:0:1 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance rezoning a 7.97 acre tract of land out of Section 62, Block 9, BS&F Survey, Randall County, to change from Planned Development District 260 to General Retail District, in the vicinity of Bent Tree Drive and Soncy Road. It is recommended for approval by a 6:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7582

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF BENT TREE DRIVE AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Harpole presented an ordinance rezoning three tracts of land. Tract 1 consists of 9.04 acres of land to change from Agricultural District to Residential District 1; Tract 2 consists of 13.75 acres of land to change from Agricultural District and Residential District 1 to Residential District 3; and Tract 3 is a 1.70 acre of land to change from Agricultural District to a Residential District 3, all in Section 39, Block 9, BS&F Survey, Randall County, in the vicinity of Kingsgate Drive and Glenwood Drive. It is recommended for approval by a 6:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Demerson, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7583

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF KINGSGATE DRIVE AND GLENWOOD DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Harpole presented an ordinance amending Ordinance No. 7076 as to the Project Plans and Cost as stated within the Tax Increment Reinvestment Zone Number One, City of Amarillo, Texas, Final Project and Financing Plan. Motion was made by Councilmember Eades, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7578

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS CITY COUNCIL AMENDING ORDINANCE 7076 AS TO THE PROJECT PLANS AND COST AS STATED WITHIN THE TAX INCREMENT REINVESTMENT ZONE NUMBER ONE CITY OF AMARILLO, TEXAS FINAL PROJECT AND FINANCING PLAN; PROVIDING RATIFICATION, SEVERABILITY, AND REPEALER; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 6: Mayor Harpole presented an ordinance amending the City of Amarillo 2014-2015 Budget by amending the compensated Absences Fund 2014-2015 budget and the Court Security Fund 2014-2015 budget. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7580
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO,
ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE
FISCAL YEAR 2014-2015 BUDGET; AND PROVIDING AN EFFECTIVE
DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett;
Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 7: Mayor Harpole presented an ordinance approving the loan from the Tax Increment Reinvestment Zone Number One, City of Amarillo, Texas to the Amarillo Local Government Corporation and the budget amendment to the Tax Increment Reinvestment Zone Number One for the 2015-2016 fiscal year. Motion was made by Councilmember Eades, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7579
A ORDINANCE OF THE CITY OF AMARILLO, TEXAS: APPROVING
LOAN FROM THE TAX INCREMENT REINVESTMENT ZONE NUMBER
ONE, TO THE AMARILLO LOCAL GOVERNMENT CORPORATION AND
APPROVING THE BUDGET AMENDMENT OF THE TAX INCREMENT
REINVESTMENT ZONE NUMBER ONE, CITY OF AMARILLO FOR THE
FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett;
Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 8: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a fire damaged residential structure and a detached garage located at 402 South Tennessee Street. Motion was made by Councilmember Demerson to table this item until next week, seconded by Councilmember Burkett:

RESOLUTION NO. 02-02-16
A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS
DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE
TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS;
PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER
CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE
DATE.

Randy Schuster, Deputy Building Official, Barbara French, Mr. Roberts and spouse, and Hector Mendoza, were sworn in. Mr. Schuster stated there have been no recent applications for permits to abate the nuisance at the property at 402 South Tennessee Street. The property was originally posted with a condemnation placard on January 13, 2016. The police have been called to this property four times. The property is a nuisance to the community and creates an unsafe environment. There are \$3,443.40 in delinquent and \$586.00 in current taxes due on the property. There is also \$682.17 owed to the City against this property for previous mowing and cleanup. There has been no water service since February 2010. Mayor Harpole asked if there was an owner, property owner or neighbor in attendance. There were none.

Barbara French, 404 South Tennessee Street, lives next door to this house. She stated people were gaining access through open windows. Mr. and Mrs. Roberts, 504 South Collins, Tulia, stated they wanted to purchase the house. Damon Pearson, 713 Southwest 9th Avenue, stated he would also like to purchase this residence.

Councilmember Demerson inquired if the entire structure was unsafe. Mr. Schuster replied that the building is structurally severely damaged and is dangerous. Councilmember Burkett inquired if this item could be tabled for a week. Mayor Harpole stated he was concerned about the neighbor's complaints. Councilmember Demerson also asked for the opportunity to explore if the structure could be rehabilitated. Mr. McKamie suggested closing the hearing and the evidence and a motion be made to table this item for the next meeting or a date certain.

Mayor Harpole closed the hearing.

Voting AYE were Councilmembers Demerson, Eades and Burkett; Voting NO were Mayor Harpole; the motion carried by a 3:1 vote of the Council.

ITEM 9: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a fire damaged residential structure and detached accessory building located at 3909 Southeast 12th Avenue. Motion was made by Councilmember Eades to select Option(s) II and V, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 02-02-16-1

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Randy Schuster, Deputy Building Official, and Jimmy Ontiveros, were sworn in. Mr. Schuster stated there have been no recent applications for permits to abate the nuisance at the property at 3909 Southeast 12th Avenue. The property was originally posted with a condemnation placard on January 13, 2016. The property is a nuisance to the community and creates an unsafe environment. There are \$1,612.01 in delinquent and \$545.02 in current taxes due on the property. There is also \$810.20 owed to the City against this property for previous mowing and cleanup. There has been no water service since February 2010. Mayor Harpole asked if there was an owner, property owner or neighbor in attendance. There were none.

Jimmy Ontiveros, 2112 South Fairfield Street, inquired as to how much it would cost to demolition the residence. Mr. Schuster replied he would not know until it was put out for bid or Mr. Ontiveros could tear it down himself with the proper demolition permits.

Mayor Harpole closed the hearing.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 10: Mr. Childers stated this item was pulled from the agenda (113 Southeast 12th Avenue).

RESOLUTION NO. 02-02-16

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

ITEM 11: Mayor Harpole advised that appointments are needed for certain boards. Motion was made by Councilmember Eades, seconded by Councilmember Demerson and unanimously carried to reappoint Rakhshanda Rahaman on the Amarillo Hospital District Board of Managers, such term to expire October 1, 2007.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 12: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Burkett to approve the consent agenda and authorizes the City Manager to execute all documents necessary for each transaction. Motion was seconded by Councilmember Demerson.

A. Award – Fire Pump System and Sprinklers:
Fire Safety, Inc. -- \$104,940.00

This item awards a contract for replacement of fire pump system and associated fire sprinklers at Building 602, located at the Rick Husband Amarillo International Airport.

B. Purchase – Heavy Trucks:
Award to low bidders meeting specifications as follows:

Summit Truck Center – Lines 1,2,4,6,7,10,11	\$2,057,642.00
Premier Truck Group 445261 – Line 3	\$155,324.00
Premier Truck Group Alt. #1 448510 – Lines 5, 8	\$259,494.00
Bruckner Truck Sales, Inc. – Line 9	<u>\$209,965.00</u>
Total Award	\$2,682,425.00

This item is the scheduled replacement of heavy trucks that have reached or exceeded usable life and additional equipment approved in the 2015-2016 budget. The award consists of heavy trucks that will be used by the following departments: Water Distribution, Drainage Utility, Solid Waste Collection, Park Maintenance, and Street Department. This bid represents an overall 8% increase from the last purchase. Funding for this award is available in the approved FY 2015-2016 Municipal Garage Rolling Stock Budget.

C. Approval – Change Order No. 3 – Rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard:

Original Contract:	\$2,061,156.95
Previous Change Orders:	\$79,982.20
Current Change Order:	<u>\$31,600.00</u>
(25 additional days added to contract)	
Total Change Orders:	<u>\$111,582.20</u>
Revised Contract:	\$2,172,739.15

This item approves Change Order No. 3 to the contract with Holmes Construction Company LP for work performed on the rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard. The change order is to pay for repair work to the roadway that became necessary to relocate an unidentified gas line. Funding for this change order is available in the approved Engineering Department Capital Improvements Program.

D. Approval – Change Order No. 1 – Storm Sewer in Hillside Road from Soney Road to Helium Road:

Original Contract:	\$766,307.38
Current Change Order:	<u>\$(39,152.20)</u>
Revised Contract:	\$727,155.18

This item approves Change Order No. 1 to the contract with Williams Ditching LLC for work performed on the storm sewer in Hillside Road from Hillside Road to Helium Road. The change order is for approval of a cost reduction proposal eliminating the steel casing and PVC gravity flow pipe and replacing them with AWWA C905 restrained joint PVC pipe. Contractor will be paid 50% of the cost savings \$39,152.20 upon completion of the associated items.

E. Approval – Professional Services:

This item authorizes the Interim City Manager to enter into an agreement to secure legal representation for the City of Amarillo with William M. McKamie, attorney to serve as City Attorney of Amarillo.


Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none; the motion carried by a 4:0 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.

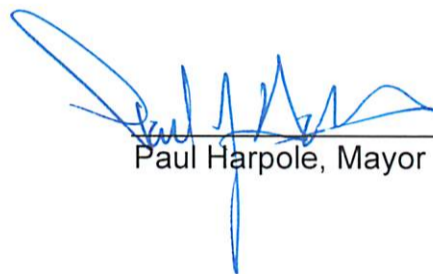
Allen Finegold, 2601 North Grand Street, stated the City's procedure on condemnations should only deal with the owner or agent and a potential buyer should not be considered. Jesse Pfrimmer, 5723 South Milam Street, complimented the City on the library award. He further stated the condemnation procedures should be considered on taxable properties, and not being condemned on property value. He inquired as to why the various taxing entities do not take houses for not paying back taxes instead of waiting until the structures are deteriorated. James Schenck, 6216 Gainsborough Street, asked how the DAI funds would be spent. He inquired about open spots on the LGC board and need for citizen representative. Mr. Schenck further stated the need to decide about the Type A and Type B issue. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor