

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 15th day of March 2016, the Amarillo City Council met at 4:00 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
ELISHA L. DEMERSON
BRIAN J. EADES
MARK NAIR

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 4

Absent was Councilmember Randy Burkett. Also in attendance were the following administrative officials:

TERRY CHILDERS
MICK MCKAMIE
KELLEY SHAW
FRANCES HIBBS

INTERIM CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by James A. Tudman, MCM, Wayland Baptist University. 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 March 8, 2016. Motion was made by Councilmember Demerson to approve the minutes; motion was seconded by Councilmember Nair, and unanimously carried to approve the minutes.

Mayor Harpole stated City Council will continue the process in search for a City Manager with Strategic Government Resources (SGR) and that Mr. Childers has stated he will not be considered.

Mr. McKamie stated the report from the ad hoc committee on Ordinance No. 7333 suggested several amendments. The Legal Department has monitored this ordinance since 2012, and they recommended changes in the legal landscape. There have been four citations issued, one which resulted in a fine being paid after a conviction. He further stated that Council has several options, to repeal the ordinance, leave the wording as it exists in Chapter 10, Section 10-3-45, of the Amarillo Municipal Code, or consider some amendments recommended by the ad hoc committee and the Legal Department.

James Allen, Community Development Administrator, stated the point and time count identified 507 beds available in the various shelters with an average of 80% occupancy. They have also identified 43 unsheltered individuals with children. Mr. Allen stated the shelters have overflow capacity and contingency plans. During this year's blizzard full capacity was not reached. Mr. McKamie further stated there was also a recommendation made to sunset the ordinance on January 1, 2017. Councilmember Demerson stated the need to periodically reaffirm the ordinance was a good idea and the need to move forward.

ITEM 2: Mayor Harpole presented an ordinance of an ordinance to consider all matters incident and related to the issuance and sale of "City of Amarillo Texas, Hotel Occupancy Tax Revenue Bonds, Taxable Series 2016."

Michelle Bonner, Assistant City Manager, introduced Steven Adams, with Specialized Public Finance, Inc. and Bob Dransfield with Norton Rose Fulbright (bond counsel). Mr. Adams stated the underwriters, Stifel, Nicolaus & Company, Incorporated led the sell of \$11,995,000 bonds for the downtown parking garage project. The City of Amarillo received an A+ rating which is the highest in the state. The bonds have a true interest cost of 4.119% and the bonds are expected to close on April 13, 2016. Specialized

Public Finance, Inc. recommended to the Council they award these bonds. Motion was made by Councilmember Nair, seconded by Councilmember Eades, that the following captioned ordinance be passed on first and final reading:

ORDINANCE NO. 7590

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, HOTEL OCCUPANCY TAX REVENUE BONDS, TAXABLE SERIES 2016"; PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING HOTEL OCCUPANCY TAX REVENUES TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE AGREEMENT, AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3: Mayor Harpole presented an ordinance vacating an existing 80-foot by 160-foot segment of Southeast 8th 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. Motion was made by Councilmember Eades seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7589

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR PORTION OF A STREET IN THE VICINITY OF SOUTH GRANT STREET AND SOUTHEAST 8TH 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.

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

ITEM 4: Mayor Harpole presented a resolution authorizing the Assistant City Manager for Finance to apply for FY16 SHSP grant funds to implement projects entitled Amarillo Regional Bomb Squad Enhancements and Amarillo Regional Hazardous Materials Team Enhancements on behalf of the City. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 03-15-16-1

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AUTHORIZING THE SUBMISSION OF AN FY16 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION (HSGD) AND DESIGNATING THE ASSISTANT CITY MANAGER FOR FINANCE TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO CITY'S PARTICIPATION IN THE FY16 HOMELAND SECURITY GRANT PROGRAM.

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

ITEM 5: Mayor Harpole stated due to a typographical error, this item would be presented next week.

ITEM 6: A powerpoint presentation was presented by Chief Robert Taylor on the Amarillo Police Department's 2015 Annual Report. Chief Taylor stated crime had dropped 1.4% which included a 9-year downward trend. He credited the additional manpower.

ITEM 7: 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 Nair to approve the consent agenda, seconded by Councilmember Demerson.

A. Award – Landscape Maintenance and Mowing Agreement for the Colonies Public Improvement District:

Award to: Custom Gardens, LLC – base fee of \$103,616.04

Award – Management Agreement for the Colonies Public Improvement District Landscape Maintenance and Mowing Agreement:

Award to: FIMC Realty, Inc. – base fee of \$30,000.00

This item awards a 3-year Landscape and Mowing contract as well as a 3-year Management Agreement associated with landscape maintenance, mowing, edging and trimming for the Colonies Public Improvement District (PID). These contracts will be funded by the PID assessments and will not require any City funds. These contracts are recommended for approval by the Colonies Public Improvement Advisory Board.

B. Approval – Engineering Services Agreement for the 2016 Groundwater Monitoring, Analysis and Report:

HDR Engineering, Inc. – \$49,300.00

This Engineering Services Agreement provides for groundwater statistical analysis and reporting as required by the Texas Commission on Environmental Quality (TCEQ) under Landfill MSW Permit 73A involving 25 groundwater monitor wells. A "Groundwater Background Update Report" will also be prepared and filed with the TCEQ.


Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Nair; 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.

James Schenek, 6216 Gainsborough Street, inquired about additional information on the HOT tax bonds. Carol Smith, 1616 South Polk Street, stated she had regrets that the Council would lose Councilmember Eades. She hoped the Council would select someone with the same integrity, fairness and respect. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:


Frances Hibbs, City Secretary


Paul Harpole, Mayor