

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 19th day of July 2016, the Amarillo City Council met at 3:00 p.m. for a work session, and the regular session was held at 5:00 p.m. 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 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
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Mayor Paul Harpole. 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 July 12, 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 the first reading of an ordinance to consider amending the Amarillo Municipal Code, Chapter 4-2, Signs, to provide revisions of sign definitions and temporary sign regulations. Mayor Harpole asked to remove this item for the Sign Committee to work out the details. Motion was made by Councilmember Burkett, seconded by Councilmember Nair, that the following captioned ordinance be removed:

ORDINANCE NO. 7604

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 4-2, TO PROVIDE REVISIONS OF DEFINITIONS; SECTION 4-2-2; TEMPORARY SIGN REGULATIONS; SECTION 4-2-11; 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 3: Mayor Harpole presented the first reading of an ordinance rezoning of Lots 11 and 12, Ridgecrest Addition, in Section 7, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to planned development district for professional and general office uses. (Address: 3620 South Western Street.) David Thurston, 3619 Thurman Street, stated his property backs up to this property and inquired as to what business could occupy the space. David Soto, Planner I, stated the rezoning would be office zoning and the applicant stated professional and office uses such as a doctor's office, insurance agent, etc. James Schenck, 6216 Gainsborough Street, inquired as to how he would be assured it would stay zoned as offices. Kelley Shaw, Housing Administrator, replied the rezoning was a change from Residential 1 to planned

development district to allow for office space, screened and landscaping. Motion was made by Councilmember Nair seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7608

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 WESTERN STREET AND THIRTY-SEVENTH AVENUE, 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 4: Mayor Harpole presented a resolution setting the date and time for a public hearing on August 9, 2016, at 5:00 p.m. to determine if the property at 601 West Amarillo Boulevard constitutes a public nuisance and thereby requiring the removal of such accumulations. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing.

Councilmember Burkett inquired if there was any response from the property owner. Randy Schuster, Deputy Building Safety, stated they had received a telephone call from Mr. Robert Swan after it was posted. He wanted to know what he could do. Mr. Childers stated this has been ongoing for eight to ten years and nothing has been delivered from the numerous requests for extensions. Councilmember Demerson stated he appreciated the diligent efforts bringing this to a resolution. Mayor Harpole stated it has been a blight to the community for many years. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-16-1

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.

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 a resolution conducting a public hearing for the review and adoption of the 2016-2017 Community Development Block Grant Annual Action Plan which addresses funding to low to moderate income individuals and communities in accordance with HUD regulations and utilizing citizen input to allocate resources. Mayor Harpole opened the public hearing. Mr. Childers stated this annual presentation goes through and identifies the needs and allocates funding proposals based on the number of requests received from the community. James Allen, thanked his staff and the volunteers on the Committee. Mr. Allen presented the Community Development Block Grant Annual Action Plan 2016-2017 Community Development Advisory Committee (CDAC) Funding Recommendations.

Nancy Koons, Catholic Charities, 200 South Tyler Street, commended the Community Development staff and noted the ripple effects of the recipients. Carolyn Thornton, 4101 Southwest 45th Avenue, inquired as to the accountability of United Way and she would like to see better treatment of the homeless. Nancy Koons, Catholic Charities, stated they were one of several tenants in the building and they were relocating to the Armory building at 2801 Duniven Circle. They would continue the hunger program store. Councilmember Demerson inquired as to the services being dispersed across the city and how people who need the services the most could get those services.

Susan Barros, United Way, stated at one time Guyon Saunders Resource Center was a one stop shop. Catholic Charities were the only tenant upstairs and they have been unable to identify an agency who could take use the space. Tenants share the costs of the building, and if no other agency the business model collapses. United Way is currently looking for a new space for a day room. Nancy Koons stated the hunger project participants are not homeless recipients. Councilmember Demerson inquired if there was anything the City could do to facilitate these critical services to the people who need them the most. Mayor Harpole closed the public hearing. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-16-2

A RESOLUTION CONDUCTING A PUBLIC HEARING AND APPROVING THE 2016-2017 ANNUAL ACTION PLAN AND AUTHORIZING THE CITY MANAGER AS CHIEF ADMINISTRATIVE OFFICER TO EXECUTE AND FILE SAID PLAN WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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 a resolution conducting a public hearing for the review and adoption of the 2016-2017 Public Housing Authority (PHA) Annual Action Plan and Housing Choice Voucher Program Administrative Plan, as required by the Department of Housing and Urban Development. The Annual Plan was reviewed and recommended for approval by the Tenant Advisory Committee and the Community Development Advisory Committee. The PHA plan has been available for public comment for 45 days from May 27, 2016 through July 10, 2016. Mayor Harpole opened the public hearing. Kelley Shaw, Housing Administrator, stated the Consolidated Plan is done annually. The Consolidated Plan are guides for the use of the funds of several HUD funds and summary of activity or actions done that year. The Administrative Plan are the policy's guidelines or the framework to administer the program. Mayor Harpole closed the public hearing. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-16-3

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS: CONDUCTING A PUBLIC HEARING AND AUTHORIZING THE ADOPTION OF THE 2016-2017 PUBLIC HOUSING AGENCY ANNUAL PLAN AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF HOUSING AND URBAN DEVELOPMENT; AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE PROVISION A SAVINGS CLAUSE.

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 conducting a public hearing on the FY 2017 Program of Projects and authorizes the City of Amarillo to submit a grant application to the Federal Transit Administration and the Texas Department of Transportation (TXDOT) for fiscal year 2016-2017 operating and capital assistance for the Amarillo City Transit Department. The City will receive an allocation from both the Federal Transit Administration and the Texas Department of Transportation. Mayor Harpole opened the public hearing.

Mr. Childers stated this item was subject to a public hearing for securing funding for the transit program. This program application does not address any of the previously discussed previous changes but was for an application to fund a feasibility study to improve the capabilities and delivery of the services in the Transit system. The current system funding does provide for the feasibility study. Councilmember Burkett inquired about areas with in bus benches and if they try to work with the landowners. Ms. Phelps stated Phase 5 includes over 100 requests for additional bus benches. The City's Engineering Department will start in November to review the surveys and work

with property owners. Councilmember Demerson inquired as to the bus stops shelters that do not have the ADA requirements. Ms. Phelps replied that many of the older shelters were grandfathered. Lila Ford Mitchell, 3124 Redwood Street, stated the current transit system is bad.

Ms. Phelps presented costs to extend the bus services for one hour a day and if they expand the fixed route operations they are required to expand the paratransit operations. Councilmember Demerson stated the need for a feasibility study to make sure we are receiving the maximum use out of our buses. Ms. Phelps stated serving the citizens is not an easy accomplishment. It takes additional time to deploy the lift, pay fares, and all routes run late. It is a complicated and complex problem. Councilmember Burkett inquired as to the average age of the buses. Ms. Phelps stated if the lifts are not working the bus has to be taken out of service.

Marcy Mitchell, 101 North Adams Street, inquired about accommodations for the sound impaired or blind people. Ms. Phelps stated they do use a stop announcing system as a requirement of ADA. Mary Quall(sp), 2012 Northwest 13th Avenue, inquired if there was any way to adjust the bus schedules for people who have to go to work. Allen Finegold, 2601 North Grand Street, stated the need to hire electronics and scheduling experts to help out with problems and a need for an express bus system. Mayor Harpole closed the public hearing. Motion was made by Councilmember Eades, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-16-4

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS
CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT
PROGRAM OF PROJECTS; AUTHORIZING THE FILING OF A GRANT
APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION AND
THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS
DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE
URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED;
PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE;
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 8: Mayor Harpole advised that an appointment is needed for a certain board and commission. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson and unanimously carried to appoint to the Amarillo Local Government Corporation, Lisa Blake to replace Brian Eades, such term to expire September 30, 2017.

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

ITEM 9: 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 Demerson to approve the consent agenda, seconded by Councilmember Nair.

- A. Award – Fire Fighting Clothing annual Contract:
DACO Fire Equipment Co., Inc. -- \$149,890.00

This award is to approve an annual contract for the purchase of NFPA 1971 Structural Fire Fighting Clothing also known as turn out gear. This contract will allow the Amarillo Fire Department to purchase firefighting garments on an as needed basis. In addition, the contract will provide repair, maintenance, and cleaning fees for seven years.

- B. Award –Water Main Relocations at I-40 and Ross Street:
Roberts Ditching Job #523079 -- \$101,022.50

Award –Water Main Extension at Paramount Boulevard and 26th Avenue:
Roberts Ditching Job #523080 -- \$97,411.71

Award Combined Project Cost of \$198,434.21

This item is to award Job #523079 Water Main Relocations at I-40 and Ross Street and Job #523080 Water Main Extensions at Paramount Boulevard and 26th Avenue.

C. Award of Contract:

TxDOT Standard Utility Agreement for participation in Job #523079: Water Main Relocation at I-40 and Ross.

D. Approval – Aviation Clear Zone Easements:

The following Aviation Clear Zone Easements are associated with the corresponding plats below:

- ACZ-13-14, being 3755' above mean sea level above the plat of Fleet Addition Unit No. 4
- ACZ-13-16, being 3800' above mean sea level above the plat of Eastridge Unit No. 44
- ACZ-13-17, being 4900' above mean sea level above the plat of Tradewind Air Park Unit No. 20
- ACZ-14-01, being 4950' above mean sea level above the plat of Lonesome Dove Estates Unit No. 6
- ACZ-14-03, being 4300' above mean sea level above the plat of South Haven Addition Unit No. 4
- ACZ-14-07, being 3755' above mean sea level above the plat of Klucevsek Subdivision Unit No. 2
- ACZ-14-08, being 4600' above mean sea level above the plat of South Georgia Place Unit No. 30
- ACZ-15-02, being 3755' above mean sea level above the plat of Centerport Addition Unit No. 6

E. Approval – Interlocal Agreement:

This item approves an Interlocal Agreement for Neighborhood Planning funding between Potter County, Texas and the City of Amarillo, Texas.

F. Approval – Change Order No. 4 – Job #521941: 24th Pipeline 48" Well Water Transfer Line:

Original Contract:	\$11,740,159.00
Previous Change Orders:	\$862,469.44
Current Change Order:	<u>\$339,393.44</u>
Total Change Orders:	<u>\$1,201,862.88</u>
Revised Contract:	\$12,942,021.88

This item approves Change Order No. 4 to the contract with Condie Construction Company, Inc. for additional work required on the 24th Pipeline.

G. Approval – Addendum No. 3 – Job #521943: Hillside Terrace 30" Sewer Replacement:

Original Contract:	\$52,650.00
Previous Change Orders:	\$219,870.00
Current Change Order:	<u>\$147,000.00</u>
Total Change Orders:	<u>\$366,870.00</u>
Revised Contract:	\$419,520.00

This item approves Addendum No. 3 to the Professional Service Agreement with RIMKUS Consulting Group, Inc. to allow for additional engineering services and construction observation services lump sum fees outlined in the addendum.

H. Approval – Council Committee on Board Appointments Policy


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.

Jesse Pfrimmer, 5723 South Milam Street, presented documents for Council consideration on priorities and to seek AEDC resources for income revenue instead of property tax increases. James Schenck, 6216 Gainsborough Street, inquired as to the AEDC changing from a Type A to Type B. Councilmember Nair it would require a public vote to change from Type A to Type B. Mr. Schenck further inquired as to the City Manager's search being suspended. Mayor Harpole stated discussion was not allowed. Mr. Schenck further inquired if a bond proposal was going to go to the voters in November or in May. Mr. McKamie replied that this item was not on the agenda. Terry Orand, 4523 Willow Street, inquired if there was something in place for developers when they finish a development to clean up. Lila Ford Mitchell, 3124 Redwood Street, stated she was pleased on the Amarillo Inn substandard structure and inquired why it takes so long for Parks and Recreation to make repairs to Mary Hazelrigg Park. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor