

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 13th day of December 2016, the Amarillo City Council met at 4:00 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 DEMERSON	COUNCILMEMBER NO. 1
LISA BLAKE	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

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

MICHELLE BONNER	ASSISTANT CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
AUDREY CASTILLO	EXECUTIVE ASSISTANT
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Traci Rogers, No Boundaries International. 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 December 6, 2016. Motion was made by Councilmember Demerson to approve the minutes, seconded by Councilmember Burkett, and unanimously carried to approve the minutes.

**ITEM 2:** Mayor Harpole presented an ordinance approving a settlement agreement between the Alliance of XCEL municipalities (including the City of Amarillo) and Southwestern Public Service Company regarding the SPS 2016 Statement of Intent to Change Electric Rates (Increase). Michelle Bonner, Assistant City Manager, presented this item. Ms. Bonner stated the rate case was filed in February 2016. On March 1, 2016 the City Council suspended SPS's proposed rate increase. AXM consists of 80 cities in the Texas Retail Jurisdiction. The AXM has reviewed the process and settlement agreement for an increase of \$35 million base rate revenue or 7% increase (nonfuel). The rate will be retroactive from July 20, 2016. The affect to the residential customers will be a 4% increase. Ms. Bonner further stated the rate case is going to cover capital investments in our area on costs already incurred. Alan Abraham, 7205 Southwest 35<sup>th</sup> Avenue, inquired if the fuel costs were a separate transaction. Motion was made by Councilmember Demerson, seconded by Councilmember Nair, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7638**

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS APPROVING A SETTLEMENT AGREEMENT BETWEEN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") AND SOUTHWESTERN PUBLIC SERVICE COMPANY ("SPS" OR "COMPANY") REGARDING THE COMPANY'S STATEMENT OF INTENT TO CHANGE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THE CITY'S RATE CASE EXPENSES REASONABLE; DIRECTING SPS TO REIMBURSE THE CITY ITS REASONABLE RATE CASE EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE

TEXAS OPEN MEETING ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR RESOLUTIONS INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Nair; voting NO was Councilmember Burkett; the motion carried by a 4:1 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance rezoning of Lots 1-39, Block 16, and Lots 1-21, Block 17, Heritage Hills Unit No. 4, in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 (R-2) to Residential District 3 (R-3). (Address: Crestline Drive and Rockwood Drive.) AJ Fawver, Planning and Zoning Director, presented this item. Mayor Harpole inquired if this location was within the boundaries for Loop 335 expansion. Motion was made by Councilmember Demerson, seconded by Councilmember Blake, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7639

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 CRESTLINE DRIVE AND ROCKWOOD DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson, 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 24, Block 39, Grandview Addition Unit No. 11, Section 139, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with a Specific Use Permit 189 for placement of a carport. (Address: 3113 South Browning.) AJ Fawver, Planning and Zoning Director, presented this item. Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7640

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 BROWNING STREET AND LONGHORN TRAIL, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson, 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 rezoning of Lot 2, Block 112, Original Town of Amarillo Unit No. 2, in Section 188, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 (MF-1) to Multiple-Family District 1 (MF-1) with a Specific Use Permit (SUP) for the placement of a Type A Manufactured Home. (Vicinity: Northwest 2<sup>nd</sup> Avenue and North Bryan Street) AJ Fawver, Planning and Zoning Director, presented this item.

Mr. McKamie stated this item was a traditional zoning issue and it could be denied. Councilmember Nair inquired as to the difference between mobile homes versus premanufactured homes. Ms. Fawver explained that a mobile home was constructed before 1976. Councilmember Demerson inquired if there were any other manufactured homes in the vicinity. Ms. Fawver stated a person did come to the Planning and Zoning Commission meeting and expressed concerns about the values and the impact in the area. Councilmember Blake left during this item. Motion was made by Councilmember

Nair, seconded by Mayor Harpole:

**ORDINANCE NO. 7641**

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 NW 2<sup>nd</sup> AVE & N BRYAN ST, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole and Councilmember Nair; voting NO were Councilmembers Demerson and Burkett; motion failed by a 2:2 vote of the Council.

**ITEM 6:** Mayor Harpole presented an ordinance rezoning of a 21.13 acre tract of land in Section 37, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural (A) District to General Retail (GR) District. (Vicinity: Hollywood Road and FM 2590.) AJ Fawver, Planning and Zoning Director, presented this item. Jim Lowder, 6723 Emerald Court, inquired as to the affect of the drainage and the costs of infrastructure. Ms. Fawver replied that no proposals had been submitted at this time. Motion was made by Councilmember Burkett, seconded by Councilmember Nair, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7642**

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 HOLLYWOOD ROAD (LOOP 335) AND F M 2590, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**ITEM 7:** Mayor Harpole presented an ordinance rezoning of a 3.99 acre tract of land in Section 37, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural (A) District to General Retail (GR) District. (Vicinity: Hollywood Road and FM 2590.) AJ Fawver, Planning and Zoning Director, presented this item. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7643**

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 HOLLYWOOD ROAD (LOOP 335) AND F M 2590, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**ITEM 8:** Mayor Harpole presented an ordinance establishing a 15-member 21<sup>st</sup> Century Senior Services Development Advisory Board as recommended by the "Blueprint for 21<sup>st</sup> Century Senior Services" plan and required by the Memorandum of Understanding (MOU) among the City of Amarillo, Amarillo Area Foundation, Baptist Community Services and the Mary E. Bivins Foundation. The MOU establishes a development period of two years to indentify and address critical components for the development of program(s) providing comprehensive senior adult services. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, that the following captioned

ordinance be passed on second and final reading:

ORDINANCE NO. 7636

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ESTABLISHING THE 21<sup>ST</sup> CENTURY SENIOR SERVICES DEVELOPMENT ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR EFFECTIVE DATE.

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

ITEM 9: Mayor Harpole presented an ordinance rezoning of Lot 2, Block 3, Medical Center Unit No. 3, in Section 43, Block 9, BS&F Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Office District 1 to Office District 2. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7637

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 WEST AMARILLO BOULEVARD AND HALSTEAD STREET, POTTER COUNTY, TEXAS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 10: 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, seconded by Councilmember Nair.

- A. Award – Erection of 60 x 100 Steel Building, Construction of Safe Room, and Interior Finishes:  
Panhandle Steel Buildings, Inc. -- \$271,263.98  
This is for the Police Department Storage Area: at 2401 Prairie Dog Lane.
- B. Award – Asbestos Abatement Contract:  
Intercon Environmental, Inc. -- \$80,459.00  
This item is for asbestos abatement in the old Coke building properties located at 700 South Johnson, 702 South Lincoln, and 708 South Lincoln.
- C. Award – Purchase of Energy Efficient Lamp and Lighting Fixture Replacement for the Civic Center:  
Facility Solutions Group -- \$423,046.00  
This item is the replacement of existing lighting systems with new LED and high efficiency florescent fixtures that meet the Federal standards.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Burkett 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.

Melonie Yeats, 6600 Plum Creek Drive, #114, stated Jamey Scott Johnson was her father. He died after being released from the Randall County Jail and driven to the Salvation Army. He had mental illness and chose to avoid services available. He did

not abide by normal protocols and treatment was not working. She requested action to prevent other deaths by providing a low-barrier shelter with no requirements to be sober. Councilmember Burkett inquired if staff could look into the cost to build a low-barrier shelter. Virginia Williams Trice, 1504 Bowie Street, stated there was currently a vigil of silence outside City Hall. She inquired about a low-barrier shelter and training for all police officers and the counties. Kit Rudd, 6850 Grande, stated he did not want this to happen again and he was making plans for a low-barrier shelter. Harvey Johnson, 7401 Ashland Drive, Executive Director, Salvation Army, stated a couple of years ago, United Way, Faith City Ministries and Salvation Army proposed a program for the Guyon Saunders Resource Center. But the operation costs would be more than the level of services needed or that they would be able to sustain. Dan Ferguson, 3807 Beaver Street, stated the base operations of Yellow City Community Outreach (YCCO) was six blocks from the resource center at 612 Southwest 2<sup>nd</sup> Avenue. He further stated YCCO would put released prisoners in a hotel for one night, provide blankets, jackets, etc. He also provided his telephone number (806-206-5925). Mayor Harpole stated the need to look into the costs on how to deal with the mental ill and those that cannot deal with it themselves. He further stated the need to discover if there was anything else that could be done with training of our police officers. Allen Finegold, 2601 North Grand Street, stated a low-barrier facility would not need to be nice. It would only need to provide protection from the weather and a safe place to lie down. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

  
 Frances Hibbs, City Secretary

  
 Paul Harpole, Mayor