

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 20th day of December 2016, the Amarillo City Council met at 1:00 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 at 4:00 p.m. and 5:00 p.m. for the regular session 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:

BOB COWELL	INTERIM CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Burt Palmer, Polk Street United Methodist Church. 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 13, 2016. Motion was made by Councilmember Blake to approve the minutes, seconded by Councilmember Burkett, and unanimously carried to approve the minutes.

Mayor Harpole announced that Council was identifying prospective City Manager candidates. Once the candidates have informed their current employers, their names will be released. There were 30 applications received.

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). Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final 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.) Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final 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.) Motion was made by Councilmember Blake, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final 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 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.) Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final 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 Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 6:** 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.) Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final 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 Blake, Demerson, 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 support of legislation that provides for the creation of a program known as a Local Provider Participation Fund (LPPF), to provide additional compensation to local hospitals by collecting a mandatory payment from those hospitals that may be used for funding indigent healthcare, an intergovernmental transfer for the nonfederal share of a Medicaid supplemental payment program, and other uses specified in the attached bill.

Michelle Bonner, Assistant City Manager, stated this resolution supports the attached bill and will be presented to the 2017 Legislature. The resolution has the support of both Amarillo hospitals. The Amarillo Hospital District (AHD) also had a special meeting and passed a resolution in support of this bill. Carlos Zaffirini, 411 West 15<sup>th</sup> Avenue, Austin, representing BSA and Northwest Texas Hospital (NWTB), stated this bill would allow access to additional funding over the next 12-24 months. Smith Ellis, #5 Champion Circle, AHD Chairman, stated this was a great opportunity since there are a lot of claims are not covered by Medicaid. It could also help fund Heal the City and would support our community. James Schenck, 6216 Gainsborough Street, inquired if these funds would cause the tax rates to rise. Ms. Bonner replied that AHD has a contract with NWTB to provide indigent care, the current contract ends in May 2021 and it has been extended through 2036. Allen Finegold, 2601 North Grand Street, inquired about expenditures used from the sale of NWTB and comparing earnings to interest rates. He also suggested an investment policy review. Motion was made that the following captioned resolution be passed by Councilmember Demerson, seconded by Councilmember Nair:

**RESOLUTION NO. 12-20-16-1**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO; SUPPORTING PROPOSED 2017 LEGISLATION FOR CREATION OF A LOCAL PROVIDER PARTICIPATION FUND PROGRAM IN AMARILLO.**

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 8:** Mayor Harpole presented a resolution approving and accepting CID09 – 24<sup>th</sup> Avenue Pump Station Transfer Station Pipeline project for which funding has been provided by the Texas Water Development Board (TWDB). Mr. Cowell stated TWDB was closing this project on the 6.1-mile transmission line at a cost of \$13 million completed in 582 days. Motion was made that the following caption resolution be passed by Councilmember Burkett, seconded by Councilmember Demerson:

**RESOLUTION NO. 12-20-16-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO; APPROVING AND ACCEPTING CID09-24<sup>TH</sup> AVENUE PUMP STATION TRANSFER PIPELINE PROJECT, CITY PROJECT NO. 521941, BID NO. 4847; 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 9: Mayor Harpole presented a resolution supporting the extension of Interstate 27 as a High Priority Corridor on the National Highway System along with the Ports-to-Plains. Mayor Harpole stated this resolution could affect the funding received for our Loop expansion. Motion was made that the following resolution be passed by Councilmember Nair, seconded by Councilmember Blake:

RESOLUTION NO. 12-20-16-3  
A RESOLUTION SUPPORTING THE EXTENSION OF INTERSTATE 27.

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 10: Mayor Harpole presented a resolution setting the date and time for a public hearing on January 10, 2017, at 5:00 p.m. to determine if the properties at 2304 Northwest 5<sup>th</sup> Avenue and 214 Northwest 11<sup>th</sup> Avenue constitute public nuisances and thereby declared as dangerous structures and an unlawful accumulation of solid waste and order the removal of such. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing. Motion was made that the following resolution be passed by Councilmember Nair, seconded by Councilmember Demerson:

RESOLUTION NO. 12-20-16-4  
A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE  
WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN  
CONSTITUTE A PUBLIC NUISANCE AT THE LOCATION(2) STATED;  
PROVIDING FOR NOTICE.

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 11: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Mayor Harpole asked to remove Items 11A and 11C for separate consideration. Motion was made by Councilmember Demerson to approve Item 11B of the consent agenda, seconded by Councilmember Blake.

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.

Mr. Cowell stated Item 11A has extensive research and years in the making, and one of critical importance in keeping our first responders safe. Kevin Starbuck, Assistant City Manager, presented an overview of the current operating system. He introduced the NEXGEN radio communications system project. He stated this system would support the City's operations for the next 20-plus years. Mayor Harpole stated it was important for the first responders not to lose communication when going into buildings. Councilmember Nair inquired if the antenna at Ross Rogers had to be replaced if the City had the contingency funds to cover. Councilmember Nair stated he had heard complaints from motorcycle officers about the difficulty hearing or ringing in the ears. Councilmember Demerson inquired about the cost through the RFP process and involving other entities. Mr. Starbuck replied they are in discussions with one of the two counties about partnering and purchasing additional radios, ability to expand our coverage and using sources on our system. Councilmember Demerson stated this shows the City working together with the counties on a cohesive radio system for our all our first responders. Jim Lowder, 6723 Emerald Court, inquired about the older equipment problems. Mr. Starbuck replied that the current system can be compared to an analog system and the new system to digital. Mr. Lowder inquired if the three towers offered redundancy. Mr. Starbuck replied redundancy was top priority and would eliminate single failures. Each can be operated independently but they work together. Mr. Lowder inquired as to the decibel difference. Mr. Starbuck stated the speakers on the radios would be the same decibels. Mr. Lowder inquired how much of the certificates of obligation would be used and how much difference the RFP made. Mr. Cowell replied the radio system was an estimate from previous work done by the

consultants. Allen Finegold, 2601 North Grand Street, requested that the City not discard the old equipment because it may be more reliable than electronic equipment made today. Mr. Starbuck replied some of the radio equipment will be turned in to Motorola and some would be kept. A number of Panhandle cities have also requested any available equipment. Motion was made by Councilmember Nair to approve Item 11A of the consent agenda, seconded by Councilmember Demerson.

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.

Casie Stoughton, Director of Public Health, presented Item 11C. Councilmember Nair inquired as to what type of screening the refugees receive. Ms. Stoughton replied that within 90-days of arrival the refugees receive a physical and other health screening services. Mayor Harpole stated the State has withdrawn from funding the refugees and have turned it over to the U.S. Committee for Refugees and Immigrants. Councilmember Nair stated public health screenings are an integral part of public safety. Motion was made by Councilmember Nair to approve Item 11C of the consent agenda, seconded by Councilmember Burkett.

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.

A. Award – NEXGEN Radio Communication System:

Award to Motorola Solutions, Inc. -- \$10,603,855.30

•Total Base System (Physical Facilities, Radio System, Connectivity, Network, Dispatch Centers, Public Safety Subscriber Equipment, and Services): \$7,435,165.06

•System Maintenance Agreement (years 2-5): \$1,466,040.48

•Non-Public Safety Subscriber Equipment (subject to alternate budget appropriations): \$1,102,649.76

•City Radio Communications is requesting \$600,000.00

for project contingency costs to be potentially applied to system infrastructure improvements and additional public safety subscriber equipment.

Total Project Costs: \$10,603,855.30

This award is to Motorola Solutions, Inc. for the purchase of a new P25 trunked two-way radio communications system as a replacement to existing system.

B. Award of Contract-Purchase Groundwater Rights:

The original contract in the amount of \$198,360 for 171.34 acres, was approved by the City Council on March 29, 2016. Since that time, title work has been completed and approximately 3.42 acres have been added to the water rights being acquired making the final contract price \$202,319. Approval for the additional \$3,959 is required for the purchase of groundwater rights to add acreage in proximity of the City owned Well #518 to the Potter Country Well Field Permit. This purchase will be in compliance with Panhandle Groundwater Conservation District rules.

C. Acceptance – Refugee Medical Screening Grant

Grant Amount: \$359,676

Grantor: U.S. Committee for Refugees and Immigrants

This item accepts the award from the U.S. Committee for Refugees and Immigrants from February 1, 2016 thru September 30, 2016 to continue health screening services for refugees resettled in Potter/Randall county.

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.

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.

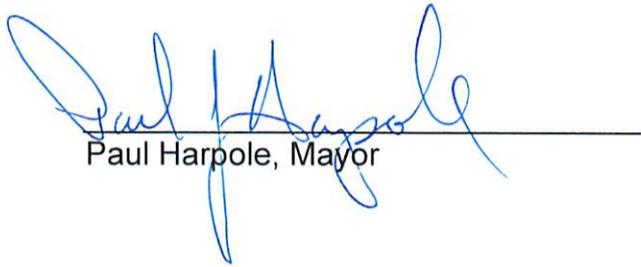
James Schenck, 6216 Gainsborough Street, inquired if there was a Council meeting next week. Mr. Cowell replied it has been cancelled. Mr. Schenck inquired about the bonds that were recently passed, and if they would be agenda items. Mr. Cowell replied they would be discussing the proposed schedule around January 20 and how they would be allocating the funds over the next 5-7 year period. Allen Finegold, 2601 North Grand Street, stated concerns for the unstable structures at the scrap yards. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor