

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 27th day of January 2015, the Amarillo City Council met at 1:30 p.m. at City Hall on the third floor in Room 303 in the Conference Room for review of agenda items, and consideration of future agenda items.

The City Council met at 3:00 p.m. in 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
ELLEN ROBERTSON GREEN	COUNCILMEMBER NO. 1
BRIAN EADES	COUNCILMEMBER NO. 2
LILIA ESCAJEDA	COUNCILMEMBER NO. 3
RONALD BOYD	COUNCILMEMBER NO. 4

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

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	DEPUTY CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Greg Dowell, Central Church of Christ. 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 of January 20, 2015. Motion was made by Councilmember Boyd; motion was seconded by Councilmember Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance conducting a public hearing on and considers the first reading of an ordinance renewing the designation of Reinvestment Zone No. 7, which encompasses the Amarillo Economic Development Corporation's Centerport Industrial Park, located in northeast Amarillo. This Zone was originally designated in February, 2010 and any such designation must be considered for renewal every five (5) years. The renewal of this Reinvestment Zone is necessary to allow for future consideration of possible property tax abatements for commercial and industrial businesses located in the Zone. Renewal of this designation does not grant a property tax abatement or amend any existing abatement agreements. Renewal of the designation continues the eligibility of the area for future consideration of an abatement(s) should such be presented. Buzz David, AEDC, stated the Tax Code requires the renewal of the Reinvestment Zone No. 7 to occur every five years. He further stated this tool was used regularly to lure businesses to the community and to remain competitive. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7505

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS CITY COUNCIL; RENEWING DESIGNATION OF CERTAIN AREAS AS REINVESTMENT ZONE NO. 7 FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT, CITY OF AMARILLO, TEXAS, PURSUANT TO TEXAS TAX CODE, CHAPTER 312, SUBSCHAPTERS A & B, ESTABLISHING BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Boyd;

voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of a 3.16 acre tract of land, in Section 63, Block 9, BS&F Survey, Randall County, to change from Agricultural District to Moderate Density District in the vicinity of Hillside Road and Soncy Road. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7503

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 HILLSIDE ROAD 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 Green, Eades, Escajeda and Boyd; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Harpole presented an ordinance changing the zoning of a portion of Tract 1, Ben's Subdivision, a portion of Lot 1, Block 3, Ben's Subdivision Unit No. 27, a portion of Lot 2, Block 3, Ben's Subdivision Unit No. 29 and a portion of Lot 1B, Block 1, Ben's Subdivision Unit No. 34, all in Section 5, Block 9, BS&F Survey, Randall County, Texas, to change from Residential District 3 to General Retail District, in the vicinity of Bell Street and Farmers Avenue. Motion was made by Councilmember Green, seconded by Councilmember Boyd, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7504

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 BELL STREET AND FARMERS AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Boyd; 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 on and considers ordering the removal of a substandard structure located at 1900 Northwest 12th Avenue. Motion was made by Councilmember Boyd to select Options ii and v, seconded by Councilmember Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 01-27-15-1

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.

Scott McDonald, Building Official, was sworn in. Mr. McDonald stated the property at 1900 Northwest 12th Avenue Street has been vacant since February 1986. There have been no applications for permits to abate the nuisance. The property was originally posted with a condemnation placard on January 6, 2015. The property is a nuisance to the community and creates an unsafe environment. There are \$150.69 current taxes due on the property and there are \$469.21 delinquent taxes due for years 2012-2013. There has been no water service since February 1986. The City has liens on the property in the amount of \$289.41.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Boyd; the motion carried by a 5:0 vote of the Council.

ITEM 6: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 2108 Pioneer Lane. Motion was made by Councilmember Escajeda to select Options ii and v, seconded by Councilmember Eades, that the following captioned resolution be passed:

RESOLUTION NO. 01-27-15-2

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.

Scott McDonald, Building Official, was sworn in. Mr. McDonald stated the property at 2108 Pioneer has sustained a fire and has been vacant since July 2013. The property was originally posted with a condemnation placard on January 6, 2015. The property is a nuisance to the community and creates an unsafe environment. There are \$214.07 current taxes due on the property and there are \$654.06 delinquent taxes due for years 2012-2013. The City has liens on the property in the amount of \$275.13.

Voting AYE were Mayor Harpole, Councilmembers Green, Escajeda, Eades and Boyd; the motion carried by a 5:0 vote of the Council.

ITEM 7: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none.

Mr. Atkinson explained Item 7A. He stated the pipe will be 45 inches in diameter and will run from Northeast 24th Avenue to Southeast 34th Avenue then connect to a previously installed line at the Osage Water Treatment Plant. It will move 36 million gallons daily (mgd) of water a day with gravity flow with the possibility to move 54 mgd. The line will allow the City to send water from Carson and Potter counties' wellfields to more parts of the City. Eventually, there will be another line from the Osage Plant to the Arden Road Pumping Station to take it to southwest Amarillo. Mr. Atkinson further stated the funding will come from funds left over from the low-interest loan from the Texas Water Development Board. The new pipeline will not raise rates since the City already increased prices when it received the original loan.

Rod Tweet, Parks Director, stated Item 7B, the Glenwood Park Splash Pad would be the City's thirteenth splash pad.

Mayor Harpole asked if anyone wanted to comment on the LGC projects. Councilmember Eades stated the City has done its homework and prepared for any contingency that may arise while protecting the City in the process. Councilmember Escajeda stated the documents were strong and kept the City safe from harm and the City was poised to move forward. Councilmember Boyd stated the documents were prepared for the protection of the citizens. It has been a long process and is now ready to move forward. Mr. Atkinson explained the project was started as three projects combined into one Master Agreement. Currently, the hotel stands alone as Supreme Bright LLC (Newcrest Image). LGC had contracted with WB to do the parking garage. Contingency plans were put in place if a triggering event occurred, and WB was unable to move forward with the project. During LGC's emergency meeting, LGC declared WB in default to build the parking garage, and WB will not be a party on anything moving forward. Mr. Atkinson further stated he met with the architectural firm and they have started internal meetings with a parking contractor to keep the parking garage on schedule. Mr. Atkinson stated WB had been paid \$924,138 for getting the project started in 2011. From February 2012 to today, no other funds have been paid. There is an amount owed in getting the architectural contracts executed.

Alan Abraham, 7205 Southwest 35th Avenue, stated he did not believe the City's catalyst projects needed a master developer. Robert Goodrich, 4111 Stony Point, asked if there were resources within the City to assist citizens to hire an attorney since the City Attorney represents only the City and not private citizens. He further stated he would like the non-compete clause in the hotel contract investigated. Marcus Norris stated there were no City resources for citizens, and it was restricted by Texas law. The City cannot fund citizens' individual concerns. He stated Mr. Goodrich's recourse was to go to the local district attorney and present the allegations and convince the district

attorney to investigate.

Motion was made by Councilmember Eades to approve the consent agenda, motion was seconded by Councilmember Green, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Award – N.E.24th Avenue Pump Station Water Transmission Pipeline:

Award to low responsive bidder: Condie Construction Company, Inc. -- \$11,740,159.00

This item awards a contract to construct approximately 5.8 miles of 48 inch water transmission line to complete the connection of the NE 24th Avenue Pump Station to the Osage Water Treatment Plant. Installation of this line will provide a new capacity of over 36 mgd to the clearwells, or treated, side of the Plant with the capacity to expand to over 54 mgd in the future. This will allow for additional capacity into the main treatment plant from both the Carson County and Potter County well fields. Funding for this project is from the favorable Texas Water Development Board Water Infrastructure Loans (WIF) approved in 2009-20100 for the construction of the Potter County Well field. These funds were remaining after the well field completion due to the very favorable bids received for the project. The recommended award is 14% less than the engineers estimate.

B. Award – Glenwood Park Splash Pad:

Award to best evaluated proposer: Kraftsman Commercial Playgrounds & Water Parks -- \$174,317.93

This item awards a professional services contract for the design and construction of an interactive water splash pad for Glenwood Park at SE 28th Ave and Mirror Street. The project includes the installation of a shaded structure over a picnic area and seating area. Funding for this project is available from the 2014-15 Community Development Annual Action Plan approved by the Department of Housing and Urban Development. The cost of the project represents a 5% decrease from the most recent splash pad project built at Eastridge School/Park in May 2014.

C. Approval – B-4 Aggregate (pre-coated) Annual Contract:

Award to low responsive bidder: J. Lee Milligan, Inc. -- \$329,976.35

This item awards a purchase of 4,169 cubic yards of pre-coated aggregate to be used in the City's on-going street maintenance program, specifically in the sealcoating process. Under this contract, the supplier will produce and deliver the pre-coated aggregate this winter for the City's use this summer. The purchase amount will be combined with material currently in stock with the City to complete the year's maintenance projects. Funding for this purchase is in the approved Street Department's repair and maintenance budget.

Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear 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.

Robert Goodrich, 4111 Stony Point, asked the Council to reconsider his Plan B he previous submitted. Alan Abraham, 7205 Southwest 35th Avenue, echoed Mr. Goodrich's concern on the hotel's non-compete clause. There were no further comments.

Mayor Harpole advised that the meeting was adjourned and the Council would return to Closed Session.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor