

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 17th day of March 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 Gene Shelburne, Anna Street 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 March 10, 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 changing a 476.07 acre tract an unplatted of land in Section 173, Block 2, AB&M Survey, Randall County, from Agricultural District and Industrial District 1 to Residential District 3, in the vicinity of Southeast 46th Avenue and Tradewind Street. This is recommended for approval by a 6:1 vote of the Planning and Zoning Commission. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7521

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 SOUTHEAST FORTY-SIXTH AVENUE AND
TRADEWIND STREET, 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 3: Mayor Harpole presented an ordinance changing the zoning of a 1.15 acre tract of land, in Section 157, Block 2, AB&M Survey, Potter County, from Residential District 3 to General Retail District, in the vicinity of Northeast 24th Avenue and Hayes Street. This is recommended for approval by a 6:0:1 vote of the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first

reading:

ORDINANCE NO. 7522

AN ORDINANCE OF THE CITY 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 NORTHEAST TWENTY-FOURTH AVENUE AND HAYES STREET, POTTER 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 making substantive revisions to Chapter 2-6 of the Amarillo Municipal Code regarding City Boards and Commissions. The proposed changes are designed to increase the efficiency of the Boards structure, provide guidance to Board members and staff and make general updates to the Board process. Other changes include the size of certain Boards, changes to reflect that most Boards will no longer be called 'commissions' and the elimination of defunct boards plus the addition of existing boards to this chapter that were not previously included. Motion was made by Councilmember Green, seconded by Councilmember Boyd, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7519

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 2-6 TO MAKE COMPREHENSIVE REVISIONS TO THE CHAPTER, INCLUDING BOTH THE GENERAL PROVISIONS AND THE PROVISIONS FOR VARIOUS SPECIFIC BOARDS AND COMMISSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; AND PROVIDING FOR 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 an ordinance making revisions to Chapter 2-5 of the Amarillo Municipal Code to conform certain provisions pertaining to the Civil Service Commission and the Zoning Board of Adjustment to the revisions to Chapter 2-6 above. Mr. Norris stated there were two state required boards in Chapter 2-5 of the Amarillo Municipal Code. Motion was made by Councilmember Boyd, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7520

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 2-5, ARTICLE II, SECTIONS 2-5-24 THROUGH 2-5-28, INCLUSIVE, TO CONFORM CERTAIN PROVISIONS PERTAINING TO THE CIVIL SERVICE COMMISSION TO RECENT REVISIONS TO CHAPTER 2-6; CHAPTER 4-10, ARTICLE II, DIVISION 2, SECTION 4-10-36, TO CONFORM CERTAIN PROVISIONS PERTAINING TO THE ZONING BOARD OF ADJUSTMENT, TO CONFORM TO RECENT REVISIONS TO CHAPTER 2-6; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING FOR 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 6: Mayor Harpole presented a resolution approving the Amarillo City Transit Department's Title VI Limited English Proficiency and Public Engagement Plans as required the Federal Transit Administration of the Department of Transportation. The Plan is revised every three years. The Plan was available for public comment for ten (10) days. No comments have been received. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that this item be approved and authorizes the City Manager to execute all documents necessary.

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 7: Mayor Harpole presented an item for approval from the Tax Increment Reinvestment Zone #1 (TIRZ) this project will support the new corporate headquarters building for Xcel Energy/Southwestern Public Service Company (SPS). The proposed project is an approximately 114,000 s.f. multistory office building and 590 stall parking garage with an associated private capital investment of approximately \$42 million. This project is associated with other efforts from the Amarillo Economic Development Corporation and the City of Amarillo to construct the first new large-scale office building in downtown Amarillo in decades. The City participation will be an exchange of land for an equivalent amount of parking in the new structure.

The requested TIRZ participation is to rebate 90% of real property tax revenue paid on the incremental increase in the property's taxable value, as a result of the investment and development of the project for a period of 18 years, which coincides with the expiration of TIRZ #1 in 2036. The purpose of this rebate is to provide an incentive for SPS to retain their Amarillo headquarters and associated 229 full time employees in downtown Amarillo. The project is consistent with the approved TIRZ #1 "Final Project and Financing Plan" goals which guides the operation of the TIRZ and specifies the creation of Office/Commercial/Retail space as one of the Key Goals for the use of incentives. The project is consistent with the TIRZ #1 Project and Financing Plan and the Amarillo Downtown Strategic Action Plan and is recommended for approval by a unanimous vote of the TIRZ #1 Board of Directors. This project has received favorable review comments from the Potter County Commissioners Court.

Scott Bentley, 8007 Patriot, Chair of TIRZ #1, stated the considerations undertook when considering this request. This incentive will help with redevelopment of downtown, which includes office and retail, urban design standards, and streetscape. Cindi Bulla, 1400 Reagan Court, inquired about market incentives. Mr. Atkinson replied that SPS would be a single tenant office building with a small retail component managed by the tenant. Alan Abraham, 7205 Southwest 35th Avenue, stated the owner of the property has not yet been named. He stated at the TIRZ meeting it was stated that no incentives would be granted until that entity was known. Mr. Atkinson stated it was SPS Amarillo TX Landlord LLC, listed on today's agenda. Phil Catlin(sp), Opus, 1296 Miles Avenue, St. Paul, MN, replied that a special purpose entity was formed. Motion was made by Councilmember Eades with contingency of a not less than 60-year agreement and use of 110 parking spaces to support the Simms Building, seconded by Councilmember Green, that this item be approved and authorizes the City Manager to execute all documents necessary.

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 8: Mayor Harpole presented an item for approval from the Amarillo Economic Development Corporation (AEDC) this project will support the new corporate headquarters building for Xcel Energy /Southwestern Public Service Company (SPS). The proposed project is an approximately 114,000 s.f. multistory office building and 590 stall parking garage as described above. The private capital investment for the project including land and construction is estimated at \$42 million. This AEDC project is associated with other efforts from the Tax Increment Reinvestment Zone #1 and the City of Amarillo.

The AEDC grant is in an amount not to exceed \$1.5 million, which will be used for site improvements. AEDC participation is based on job retention and the grant is to SPS to ensure continued compliance with the performance requirements of the grant. The project is recommended for approval by a 4:0 vote of the Amarillo Economic Development Corporation Board of Directors.

Buzz David, AEDC, stated the City would be providing an adjacent 1/3 city block in exchange for usage of the garage parking and TIRZ will be providing a rebate. He further stated AEDC supports growth and the downtown revitalization efforts. AEDC recommends \$1.5 million for site improvements. David Hudson, SPS President, 600 South Tyler Street, stated SPS has occupied downtown since 1925. With the current lease coming up they took a hard look at the needed improvements and the increased leased costs versus a new building. Mayor Harpole inquired if the building were built in other city, would ratepayers pay the same rate amounts Mr. Hudson stated SPS has approximately 390,000 customers and the costs will be allocated. He further stated SPS was a major taxpayer in Amarillo, \$14 million a year in fees, property, use tax, and sales taxes. Mayor Harpole inquired as to the number of full time employees. Mr. Hudson replied 229 full-time in Amarillo, 300 including part-time. But including the power plants there are approximately 1,000 employees in the Amarillo area and 1,800 in the district. Councilmember Green inquired about job creation. Mr. Hudson replied it is a robust economy with lots of retirements coming up, and more demands are being placed by customers, and the need to build new infrastructure, which will amount to \$3.2 billion in capital investment on its system over the next five-years. Craig Gualtiere, 3509 South Lamar Street, inquired if the \$1.5 million would be coming from AEDC unrestricted cash reserves. He also questioned the use of AEDC's use of closed session meetings. Mr. Norris replied that AEDC was not a municipality, but an economic development corporation which required matters to be kept private. Mark Johnson, Minnesota, stated construction would begin late May or early June with a move-in date of February 2017. Motion was made by Councilmember Green with contingency of a not less than 60-year agreement and use of 110 parking spaces to support the Simms Building, seconded by Councilmember Boyd, that this item be approved and authorizes the City Manager to execute all documents necessary.

Voting AYE were Mayor Harpole, Coucilmembers Green, Eades, Escajeda and Boyd; voting NO were 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. Mr. Atkinson explained several consent items. Item D was for a home destroyed by a fire on July 2014. The property owner has qualified for assistance through the Community Development Block Grant Program. Item E is for HOME rehab provided with available funds to provide affordable housing for low-income families. Item A is the complete reconstruction of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard West (Bell Street). He further stated several changes have been made to the contract to ensure it is done promptly and properly. The start date has also been moved to April to avoid winter delays. Motion was made by Councilmember Boyd to approve the consent agenda, motion was seconded by Councilmember Escajeda, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Award -- S.W. 9th Rehabilitation Contract:

Award to low responsive bidder: Holmes Construction Co., L.P. - \$2,061,156.95

This item awards a contract for a full reconstruction of S. W. 9th Avenue from Coulter Street to Amarillo Boulevard West. The proposed contract contains several changes from prior contracts to help ensure the prompt and proper completion of this project with fewer disruptions to adjacent property owners and access points. Total project time, construction specifications and start dates have been modified for this contract. Funding for this project is in the approved FY 2014/2015 Public Works Capital Improvement Program project.

B. Purchase – Heavy Trucks:

Award to low bidders meeting specifications as follows:

Amarillo Truck Center – Lines 2,4,5,7	\$1,234,936.00
Rush Truck Center – Line 1	425,789.02
Summit Truck Center – Lines 3,6,8,9	<u>760,312.00</u>
Total Award	\$2,421,037.02

This item is the scheduled replacement of heavy trucks that have reached or exceeded usable life and additional equipment approved in the 2014-2015 budget. The award consists of 21 heavy trucks that will be used by the following departments: Solid Waste Collection, Street, Water Distribution, and Wastewater Collection. This bid represents an overall 6% increase from the last purchase. Funding for this award is available in the approved FY 2014-2015 Municipal Garage Rolling Stock Budget.

C. Purchase – Street Sweeper:

Award on HGAC Cooperative Purchasing Agreement: Schwarze Industries, Inc. -- \$271,267.00

This item approves the purchase of one (1) street sweeper. This purchase replaces a 2006 sweeper that has exceeded its useful life. Delivery is anticipated in early June. This purchase represents a 3% increase since the last sweeper purchase in 2013. Funding for this purchase is available in the approved Municipal Garage Rolling Stock Fund.

D. Award -- Single Family Home Construction:

Arnett Homes, Inc. -- \$122,500.00

This item approves the construction of a new single family home at 1003 South Kentucky Street. The original home was severely damaged by fire and demolished in July 2014. The homeowner has qualified for assistance as a low and moderate income household. As this is the first new construction by the Community Development, no funding comparables are available. The project estimate was \$150,000. Funding for the project is provided by the Department of Housing and Urban Development Community Development Block Grant Program.

E. Approval -- Home Rental Rehabilitation Project Amendment:

Gover Properties, LLC – 710 North Johnson Street

This item approves an amendment to the HOME Rental Rehabilitation Project with Gover Properties, LLC. The project will renovate a four (4) unit apartment complex which will provide affordable housing to low income households for a minimum of five (5) years. The amendment is to assist with increasing costs of the renovation. The amendment increases the funding per unit from \$10,207.50 to \$14,999 or 50% of the actual costs, whichever is less. Funding for this amendment is provided by the Department of Housing & Urban Development Community Development Block Grant program.

Original Contract Amount	\$40,830.00
Amendment	<u>\$19,166.00</u>
Revised Contract	\$59,996.00

F. Sale – Properties:

Sheriff Sale Properties in Potter County.

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.

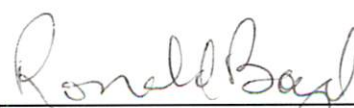
Gene Shelburne, 3516 Carlton Street, stated SPS was his first employer. Mayor Harpole acknowledged Tiger Cub Logan Stovall in the audience. There were no further comments.

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

ATTEST:



Frances Hibbs, City Secretary



Ronald Boyd, Mayor Pro-Tem