

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 28th day of July 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
ELISHA L. DEMERSON	COUNCILMEMBER NO. 1
BRIAN J. 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:

JARRETT ATKINSON	CITY MANAGER
BRYAN MCWILLIAMS	ASSISTANT CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Grant Hickman, Hillside Christian 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 taken out of order

ITEM 8: Downtown Amarillo Redevelopment Meeting follow-up held on July 27, 2015. Heywood Sanders, San Antonio, stated in 2008 there was an enormous boom for convention space but since then the level of attendance had flattened out. Conventions are highly competitive. He further stated he looked at the analysis done by Hunden Strategic Partners in 2008 and updated in 2010. His conclusion was that the data was not adequate to make a decision and that the existing performance was not there. CSL International provided examples but did not contain information on how many would be from out-of-town visitors. Councilmember Burkett asked Mr. Sanders to define convention. Mr. Sanders replied it was a multi-day event devoted to providing information, a meeting opportunity, or trade show. Very small events located in a hotel. Conventions do not bring new aggregate demand or new money to a city. Mr. Burkett inquired as to what cities lead the nation in conventions held. Mr. Sanders answered typically it was Las Vegas or Orlando, but the largest public convention center is in Chicago. Mayor Harpole stated this scale was on much larger cities. He further stated that the City of Amarillo misses out on hundreds of applications for conventions because it does not have a convention hotel.

Councilmember Nair stated there was lots of data given last night. He asked Mr. Sanders his opinion on the City receiving a free hotel. Mr. Sanders replied that every dollar is a subsidy which comes directly or indirectly, from infrastructure, land costs, parking, taxes, each of subsidies has a performance risk or the developer would not ask for subsidies. Hotel occupancy taxes (HOT) could be used to prompt Amarillo in other ways. Mayor Harpole stated the urgency to not wait another 10-years to get to this point. Dr. Eades left at this time.

John Lutz, DAI Chairman, 202 South Arthur Street, stated the convention hotel was a risk that would not fall back on the City of Amarillo. Mr. Patel has the faith that a convention hotel would succeed or he would not put \$45 million at risk. Councilmember Nair inquired about the existing contracts.

Richard Brown, 3004 South Hayden Street, stated Mr. Sanders was at a disadvantage because consultants were looking at the projects at the early stages. He stated the need to be in the game, and none of us need to give up because there is competition but we need to be competitive to improve our chances. Councilmember Burkett stated he struggles with the Board of Directors of the Local Government Corporation (LGC), and finds it frustrating not knowing what contracts were signed and the need for more input. Mr. Brown stated the staff has the expertise and manages things, the Council approves resolutions and has final approval. The management frequently goes back to Council with contracts ready to be signed, or deals that have been made. City Council has two resolutions that are in place guiding the LGC. There is one current Councilmember on the LGC Board, one former Councilmember and there was one deceased member. Other members are people that were involved in downtown. He stated he sympathizes with new Councilmembers, but LGC and LGC Councilmembers can help you get informed. Councilmember Burkett stated the new Council has no representation. Mr. Brown stated Councilmembers are not excluded in executive sessions and LGC meetings. Councilmember Demerson stated this was a serious matter which requires urgent attention. He encouraged Councilmembers who have not sat down with Mr. Brown to do so. He asked Mr. Brown to reiterate the two major projects that are contractual. Mr. Brown stated there are three core agreements for the different buildings. Signed are the contracts with Newcrest for the hotel and leased premises with 150 parking spaces across the street. Mr. Patel will build the hotel and the City will build a parking garage. There is also a signed contract with Potter County for 150 spaces. Councilmember Burkett inquired if the hotel contract had any outs for Mr. Patel or the City, if something happened. Mr. Brown suggested an executive session to get those answers. Councilmember Nair inquired about the 90-day extension from Mr. Patel. Mr. Brown stated the construction was to start in August but there are things the City has not done such as the destruction of Globe News Center parking lot. Due to the changes in Council, Mr. Patel may have begun to have some concerns on where these projects were going. There were no difficulties on Mr. Patel's side, the delay was more for the City's benefit. Councilmember Burkett inquired if Mr. Patel had the flagship. Mr. Brown stated he believed the Embassy is in place but he has not been involved in the negotiations. Councilmember Burkett inquired how it was decided to put the parking garage on the Globe News Center parking lot. Mr. Brown stated the locations were broadly discussed for the hotel to be as close to Civic Center as possible. He further stated the parking garage will not only serve the hotel, but also the Performing Arts, the ballpark and the Civic Center. Mr. Brown stated nothing has been set in stone but the utilities are now in place.

Robert Goodrich, 4111 Stony Point, stated there has not been any discussion on his Plan B. James Skank, 6216 Gainsborough Street, stated the need to know more about the hotel financing and inquired about the split amount for public and private. Dipak Patel, 46 Colonial Drive, inquired about comparisons with Abilene and had questions about the convention hotel incentives. Rupert Brashears, 2422 Popular Street, stated objectives were not fair or impartial. Allen Finegold, 2601 North Grand Street, stated the hotel should have been located on 6th & 7th Avenues, Pierce and Buchanan Streets and the parking garage was not unnecessary. He also stated that the Local Government Corporation should not have registered under the Transportation Code. Jason Herrick, 7901 Valcour Drive, stated the need to support and continue the Strategic Action Plan. He stated that certain areas were left behind as the city moved west, such as downtown and Amarillo Boulevard. He cautioned Councilmembers members that investors and board members do not want to be dragged through the mud and that time kills deals. Rob Parker, 3005 Sweetgum Lane, stated he was a volunteer on the Planning and Zoning Commission, Mr. Parker stated Herring Bank was revitalizing the Blackburn Shaw building and there were four additional projects under consideration and not one of them would affect taxpayers. He further stated the debt per capita in Amarillo was \$745 and in Lubbock it was \$4,105. Lubbock's debt load is 5.5 times higher than Amarillo. He encouraged the Council to be pro-active. Cindi Bulla, 1400 Reagan Court, stated she hoped the recent dialogue was not to find a way out of the contracts that have been signed due to potential future damage. Tim Revell, 4827 Tulip Avenue, stated without a business plan the City has invested \$9 million on a piece of property. He stated the need for this issue to go to a vote. He further stated the hotel is estimated to be \$45 million and he felt the same type of hotels are being built for \$20-22 million in the City.

Irma Heras, 1604 South Harrison Street, stated she was more confused with every meeting held. She felt the issue should be voted on. She stated she heard yesterday that our historical hotel could be revived with hotel occupancy tax (HOT) and that other cities were tearing down parking garages. Mr. Sanders replied in the case of the Herring Hotel, hotel occupancy tax could be used. Drew Terrell, 7814 London Court, stated he was working with Advance Amarillo. He stated the need to agree more than disagree, and the hotel is a good idea, and that investment was coming back to downtown because we put these things in the plan. The plan is not fully formulated and the venue is not etched into stone. It was too soon to be for or against and the need to begin moving forward to get to the next step. Focus on what we agree on, move forward on the hotel, and what the MPEV should be. He asked for the Council to step up and lead. Stick to our strengths, Amarillo is great in building something from nothing, and great at proving people wrong. Howard Smith 1616 Polk Street, stated the need to continue to move forward with the hotel and parking garage for ethics and credibility. Meghan Riddlesburger, 6900 Alpine Lane, stated she was excited so many people were involved and the need to be careful who we drag out into the mud, investors who are proud and willing to invest in our City, and we all want to see a better Civic Center eventually. Carolyn Thornton, 1947 South Marrs Street, stated these projects have been going on for eight years and the new Councilmembers have come in on the end.

ITEM 1: Mayor Harpole presented the minutes for July 21, 2015. Motion was made by Burkett to approve the minutes as presented; motion was seconded by Councilmember Demerson, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of all of Sam B. Dannis Unit No. 6, Section 122, Block 2, AB&M Survey, Potter County, from Light Commercial District to Heavy Commercial District, in the vicinity of Grand Street and Southeast 25th Avenue for a beverage distribution center. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7535

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 GRAND STREET AND SOUTHEAST TWENTY-FIFTH AVENUE, POTTER 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 none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of a of a 2.17 acre and a 2.33 acre tract of land in Section 229, Block 2, AB&M Survey, Randall County, from Planned Development Districts 52 and 341 to General Retail and a 3.75 acre tract of land to change from Planned Development District 341 to amended Planned Development district for general retail and mini-storage warehouse land uses, in the vicinity of Southwest 58th Avenue and Georgia Street. Motion was made by Councilmember Demerson, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7536

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 SOUTHWEST-FIFTY-EIGHTH AVENUE AND GEORGIA STREET, 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 none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Harpole advised that appointments are needed for certain boards and commissions. Motion was made by Councilmember Burkett, seconded by Councilmember Nair and unanimously carried to reappoint to the Canadian River Municipal Water Authority, Lenny Sadler, such term to expire 07/31/2017.

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 5: Mayor Harpole this item considers for approval the Location Incentives and Loan Agreement between the AEDC and Gestamp for a development project to be located in the CenterPort Business Park. This Agreement provides the terms and protections afforded to both parties for the purpose of constructing a new, 200,000 s.f. + manufacturing facility on a 48-acre rail served to construct wind turbine towers. The project anticipates GRI making a \$41 million investment to construct and equip the facility with an estimated 300 full time jobs and an estimated annual payroll of \$13+ million. The AEDC investment is secured by a corporate guaranty and a promissory note with a 12-year term and a 7-year amortization period. The note payments can be abated if Gestamp achieves an annual gross payroll target of \$13,028,730 during the performance period.

Jessie Pfrimmer, 5723 South Milam Street, inquired about the rail service. Buzz David replied that CenterPort had rail service on the east side. Rail spurs that serve the facilities and a second track would be installed. Councilmember Demerson thanked Mr. Higgins for attending and stated the importance of the Council to do their due diligence. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the Location Incentives and Loan Agreement between the AEDC and Gestamp for a development project to be located in the CenterPort Business Park be approved.

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 6: Mayor Harpole presented a resolution to consider a Meet and Confer request submitted by the Amarillo Professional Fire Fighters Association – Local 542 requesting recognition pursuant to Texas Local Government Code, 142.103. The Council will select one of the available actions in the attached resolution. Motion was made by Councilmember Burkett, seconded by Councilmember Nair, that the following captioned resolution be passed and with the selection of Section 2 Number 1:

RESOLUTION NO. 07-28-15-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS REGARDING THE REQUEST FOR RECOGNITION OF THE AMARILLO PROFESSIONAL FIRE FIGHTERS ASSOCIATION AS THE SOLE AND EXCLUSIVE BARGAINING AGENT PURSUANT TO SECTION 142.103 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

A. Acceptance – Refugee Health Services Grant:

Funding Agency: Texas Department of State Health Services

Funding Amount: \$471,088.00 (decrease of \$8,233)

Contract Term: October 1, 2015 through September 30, 2016

This item accepts a one-year grant application from the Texas Department of State Health Services for the Refugee Health Services program. The proposed grant represents funding needed to support the Public Health Department's efforts to provide health screening, referral, and immunizations to refugees resettled in Potter and Randall Counties.

- B. Acceptance – Infectious Disease Preparedness and Response:
 Funding Agency: Texas Department of State Health Services
 Funding Amount: \$165,000.00 (new grant)
 Contract Term: September 1, 2015 through August 31, 2017

This item accepts a two-year grant application from the Texas Department of State Health Services for enhanced infectious disease preparedness and response. The proposed grant represents funding needed to support the Public Health Department's efforts to provide an epidemiologist to be part of the Communicable Disease program, providing disease investigation, data entry, data analysis, and emergency response.

- C. Acceptance – Tuberculosis State Grant:
 Funding Agency: Texas Department of State Health Services
 Funding Amount: \$50,187.00 plus a 20% match from the City of Amarillo totaling \$60,950.00 (decrease of \$12,813)
 Contract Term: September 1, 2015 through August 31, 2016

This item accepts a one-year grant application from the Texas Department of State Health Services for the TB State program. The proposed grant represents funding needed to support the Public Health Department's efforts to provide tuberculosis screening, diagnostic testing, and treatment of both active and latent TB.

- D. Acceptance - Tuberculosis Federal Grant:
 Funding Agency: Texas Department of State Health Services
 Funding Amount: \$44,269 plus a 20% match from the City of Amarillo totaling \$53,123 (increase of \$6,939)
 Contract Term: January 1, 2016 through December 31, 2016

This item accepts a one-year grant application from the Texas Department of State Health Services for the Tuberculosis Federal grant. The proposed grant represents funding needed to support the Public Health Department's efforts to provide tuberculosis screening, diagnostic testing, and treatment of both active and latent TB.

- E. Acceptance – Public Health Emergency Preparedness Grant:
 Funding Agency: Texas Department of State Health Services
 Funding Amount: \$248,133.00 plus a 20% match from the City of Amarillo totaling \$296,407.00 (increase of \$3,011)
 Contract Term: July 1, 2015 through June 30, 2016

This item accepts a one-year grant application from the Texas Department of State Health Services for the Refugee Health Services program. The proposed grant represents funding needed to support the Public Health Department's efforts to provide all hazards planning and response for events such.

- F. Acceptance – Public Health Emergency Preparedness Supplemental:
 Funding Agency: Texas Department of State Health Services
 Funding Amount: \$39,844.00 plus a 20% match from the City of Amarillo totaling \$ 43,828.00 (new grant)
 Contract Term: November 1, 2015 through June 30, 2016

This item accepts a seven month grant application from the Texas Department of State Health Services for supplemental funding to the Public Health Emergency Preparedness grant. The proposed grant represents additional funding from the Texas Department of State Health Services to enhance PHEP funding and efforts

- G. Acceptance – Texas Traffic Safety Program Grant:
 Grantor: Texas Department of Transportation
 Grant Amount: \$168,434.00
 Match Amount: \$230,614.15
 Total: \$399,048.15

This item accepts the Fiscal Year 2015 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources on Driving While Intoxicated (DWI) offenses, Speed Enforcement, Occupant Protection (Safety Belt and Child Safety Seat) and Distracted Driving. The required matching funds are budgeted in the Police Department operating budget.

H. Acceptance – 2015 National Rifle Association (NRA) Foundation Range Grant:

Parties – City of Amarillo and NRA Range Foundation
Amount: \$53,772.40

This item accepts a grant from the NRA Range Foundation for the construction of a new 40' x 100' steel storage building at the Amarillo Shooting Complex. The building will support the ongoing operations of the public and law enforcement operations at the Complex and provides outside funding for a project that would otherwise be included in a future Capital project with wholly City funds. The total estimated cost of the building is \$110,128 and the City match will be in the approximate amount of \$57,128. Funding for the match will come from the General Construction Fund.

I. Award – Hotel Occupancy Tax Automated Collection and Reporting Services:

Award to responsive proposer: MuniServices, LLC -- \$70,000.00

This item approves a three (3) year consultant services agreement to provide administrative services for collection and reporting regarding the local portion of the Hotel Occupancy Tax.

J. Award – Purchase and Install Play Equipment, safety Surfacing, & Shade Structure:

Exerplay, Inc. -- \$394,893.75

This item awards a contract for the purchase and installation of handicap inclusive, barrier free play equipment, synthetic safety surfacing, and a shade shelter for the new all inclusive playground and plaza being built at the Medical Center Park. This purchase is based on BuyBoard Contract #423-13 and is being paid in its entirety through a donation from the Southwest Ambucs organization.

K. Award – Purchase of a Front-End Loader:

Award to sole responsive bidder: Yellowhouse Machinery Co. -- \$81,868.38

This item awards a contract for the purchase of a replacement of a 2006 front-end loader for use by the Water Production Department. This purchase was competitively bid with only one respondent. The cost represents a 36% increase over the 2006 purchase price. Funding for the purchase is budgeted in the Department's Machinery General Account.

L. Award – Purchase of Building Automation and Security System Components:

Entech Sales & Service -- \$52,802.00

This item awards a contract for the purchase of building automation and security components needed for the Simms Building remodeling project. This purchase is a proprietary purchase as the vendor is the supplier for the City's entire building and security system. Funding for the purchase is budgeted in the Department's Contract Permanent Improvements Account.

- M. Award – Purchase Joint Repair on the DeVaughn-Cortez Bridge:
Award to low responsive bidder: Gilvin-Terrill, Ltd. -- \$178,887.50

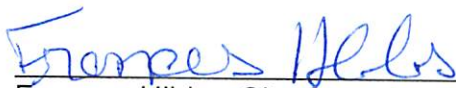
This item awards a contract for the purchase of the removal and replacement of joints on the DeVaughn-Cortez Bridge. This purchase was competitively bid with the recommended vendor being the lowest responsible bidder. Funding for this purchase is available in the Department's Contract Permanent Improvements Fund.

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.

Jessie Pfrimmer, 5723 South Milam Street, stated there was some type of delay on striping the newly paved 58th Avenue and they have failed to open up the alley ways for residents to get to their homes. He further inquired about the repairs needed to homes that sustained sprinkler system damage during the construction. Mr. Atkinson responded that this repaving project was being managed by TxDot and he would contact them. Eloy Heras, 1604 South Harrison Street, stated he had a problem contacting 911 and had to call nine times. He also stated he appreciated the police officers service. 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



Paul Harpole, Mayor