

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 17th day of November 2015, the Amarillo City Council met at 4:00 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 6:00 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

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

JARRETT ATKINSON	CITY MANAGER
WILLIAM MCKAMIE	INTERIM CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Jim Shelburne, Washington Avenue 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:

Proclamations were presented for "National Hospice Month," and "National Bible Week."

ITEM 1: Mayor Harpole presented the minutes for November 10, 2015 and the special meeting held on November 11, 2015. Motion was made by Councilmember Burkett to approve the minutes as presented; motion was seconded by Councilmember Nair, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance annexing 480+ acres of land in Sections 2 and 3, Block 9, BS&F Survey, Section 2, Block 2, J. Poitevent Survey, and Section 232, Block 2, AB&M Survey, all in Randall County, Texas, in the vicinity of Hollywood Road/Loop 335 and Western Street. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7568

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: VOLUNTARY ANNEXATION OF TERRITORY ADJACENT TO THE PRESENT CORPORATE LIMITS OF THE CITY OF AMARILLO, FINDING THAT ALL NOTICES AND HEARINGS AS REQUIRED BY LAW HAVE BEEN ISSUED AND CONDUCTED, DESCRIBING THE TERRITORY ANNEXED, OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED, PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS IN SAID TERRITORY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Harpole presented a resolution considering a resolution amending Resolution No. 08-11-15-3 to instruct the Amarillo Local Government Corporation to proceed with the Multi-Purpose Event Venue and establishing certain terms and conditions thereto.

Kent Ries, 12 Didrickson, suggested to the Council they listened to everyone that voted and see if a better park could be built. Allen Finegold, 2601 North Grand Street, inquired about the dimensions and depth of the proposed ballpark and whether or not it would be built with steel or reinforced concrete. Mr. Atkinson replied there were no final dimensions determined and the structural designs were yet to be determined. Mr. Finegold suggested the ballpark be developed on the north side of land which is not as valuable. Paul Matney, 3918 Eaton Drive, thanked each of the Councilmembers for their service, urged the Council to approve the resolution and allow the LGC to take all action necessary honoring the majority of the citizens who voted. Richard Brown, 3004 South Hayden Street, stated the need to stay focused on important issues such as the architect, engineer and operator. Danny South, 7003 Windridge Place, inquired if the \$32 million included the purchase of the Coca-Cola property. Mr. Atkinson stated it did not and the concept dates back to 2011 but the numbers were reviewed in 2014. Mike Ford, 7005 Alpine Lane, stated the purchase of the Coca-Cola building was a Type A project and an election should have occurred. James Schenck, 6216 Gainsborough Street, stated the Type A issue should give the Council some pause, and parking is going to be an issue. Laura Street, 5204 Spartanburg Drive, stated she was pleased on the teamwork shown going forward. Bob Juba, 550 South Avondale Street, thanked the Council for their patience, and moving forward on what the voters want to build the best ballpark. John Ingerson, 7105 Beeson Street, stated voting on this issue was the right thing to do and we cannot afford for this to fail. Matt Ricks, 4607 West 38th Avenue, inquired how there could be a cost on the MPEV and not know the material you are using. Robert Goodrich, 4111 Stony Point, stated the Council cannot ignore those who were opposed. Steve Pair, 1930 South Harrison Street, stated he was encouraged moving forward and the need to make it successful. Motion was made by Councilmember Demerson to approve the resolution with the minor modifications, seconded by Councilmember Nair, that the following captioned resolution be passed:

RESOLUTION NO. 11-17-15-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING RESOLUTION NO. 08-11-15-3; AUTHORIZING STAFF AND THE AMARILLO LOCAL GOVERNMENT CORPORATION TO PROCEED; PROVIDING SEVERABILITY CLAUSE; COMMENDING COMMUNITY PARTNERS, PROVIDING SAVINGS CLAUSE, AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Harpole presented a resolution setting the date and time for a public hearing on December 8, 2015, at 6:00 p.m. to determine if the properties at 512 West Studebaker Street constitutes a public nuisance and thereby declared as a dangerous structure. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 11-17-15-2

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE A PUBLIC NUISANCE AT THE LOCATION(S) STATED; PROVIDING FOR NOTICE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; 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 1309 South Lincoln Street (aka 1311 South Lincoln Street). Motion was made by Councilmember Eades, seconded by Councilmember Burkett to table this item for two (2) weeks.

RESOLUTION NO. 11-17-15

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, Lisa and Michael Hancock were sworn in. Mr. McDonald stated the property at 1309 South Lincoln Street (aka 1311 South Lincoln Street) has had no recent permit activity. There are no delinquent or current taxes due on the property. There has been no water service since July 2012. The City are no liens on the property for mowing or cleanup.

Lisa Hancock stated Christmas in Action owns the building and it was donated by Polk Street Methodist Church. The structure is used for storage only, containing wood and paint for their projects. She further stated Christmas in Action does home repairs for the indigent, elderly and disabled adults in the community. She asked the Council for an extension so they could decide what was best to do with the building. Councilmember Eades inquired if the Board members realized the exposure they have with this structure.

Mr. McDonald stated the current use of storing wood and paint may also be a problem for the fire department because it is not designed as a storage facility. The exterior wall is failing, bowing and is no longer vertical. The foundation is degraded and would be a challenge to renovate. There are serious problems to the upper level and it needs a new roof. Councilmember Nair stated the building appears to be falling apart and remediating the entire building would be costly. Councilmember Demerson replied they need the opportunity to salvage the building because it serves a purpose to the community.

Mayor Harpole asked if there was an owner, property owner or neighbor in attendance. There were none. Allen Finegold, 2601 North Grand Street, was sworn in, stated the structure was not worth saving and suggested the City buy the structure. Mayor Harpole closed the public hearing.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; the motion carried by a 5:0 vote of the Council.

ITEM 6: Mayor Harpole presented a resolution considering a resolution nominating BSA Hospital, LLC to the Office of the Governor Economic Development and Tourism through the Economic Development Bank for designation as a qualified business and enterprise project under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act. This request is related to a planned BSA capital projects totaling \$25 Million for a new emergency room. Staff has reviewed the application and finds that it meets all stated criteria for this program. BSA is seeking the nomination to secure incentives offered by the State of Texas. There are no local incentives involved in this nomination request. Mr. Atkinson stated the City had approved a prior request from Northwest Texas Hospital. He further stated the incentives requested would come from the State of Texas and they were not asking the City for incentives. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 11-17-15-3

A RESOLUTION OF THE CITY OF AMARILLO; AUTHORIZING THE CITY OF AMARILLO TO NOMINATE BSA HOSPITAL, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; PROVIDING SEVERANCE CLAUSE; PROVIDING SAVINGS CLAUSE; PROVIDING EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; the motion carried by a 5:0 vote of the Council.

ITEM7: Mayor Harpole presented a resolution considering a resolution to appoint an Interim City Manager to ensure continuity of leadership and to provide the appointee the authority to act in all matters as the City Manager until such time as a permanent City Manager is selected and appointed. Motion was made by Councilmember Eades, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 11-17-15-4

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CITY COUNCIL APPOINTING AN INTERIM CITY MANAGER AND AUTHORIZING EXECUTION OF A LETTER AGREEMENT WITH THE INTERIM CITY MANAGER

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; the motion carried by a 5:0 vote of the Council.

ITEM 8: 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 and authorizes the City Manager to execute all documents necessary for each transaction. Motion was seconded by Councilmember Nair.

- A. Award – Storage Building at the Amarillo Municipal Shooting Complex:
Award to Rod Bowers Construction - \$123,000.00

This item awards the contract to construct a storage building at the Amarillo Municipal Shooting Complex. This project is a partnership between the City of Amarillo and NRA Foundation/Friends of the NRA, with the NRA Foundation donating \$53,772.40 toward the total cost of the project. The remainder of the funding for this project is within the approved Storage Complex Project Account within the Facilities Department budget.

- B. Award – Water Main Improvements:
Amarillo Utility Contractors -- \$292,465.79

This item awards a contract with Amarillo Utility Contractors for the extension of a water main at Georgia Street and Farmers Avenue, replacement of a water main at Interstate 27 and 27th Avenue, replacement of a water main in the Hayden Street/Hughes Street alley and replacement of a sanitary sewer main in the Hayden Street/Hughes Street alley. Funding for this contract is available in the Department's approved Capital Improvements Budget.

- C. Award – Kronos Timekeeping Maintenance, Technical Support and Online Training:
Kronos Incorporated -- \$70,021.87

This item awards a contract with Kronos Incorporated for renewal of timekeeping maintenance, technical support and online training services associated with the City's timekeeping system. Funding for this contract is available in the Department's approved Leased Computer Hardware Account.

D. Award – Water Distribution Improvements:
LA Fuller & Sons -- \$165,122.00

This item awards a contract with LA Fuller & Sons for the installation of a new water main along Hillside Road as necessitated by continued development in the area. Funding for this contract is available in the Department's approved Capital Improvements Extensions and Improvements Budget.

E. Approval – Change Orders (4) and (5) – Soncy Road Sanitary Sewer Main:

Original Contract: \$2,952,715.00

Previous Change Orders: \$98,360.00

Current Change Orders: Change Order (4) \$6,800.00 and Change Order (5) \$28,996.00 for a total of \$35,796.00

Revised Contract: \$3,086,871.00

This item approves Change Orders (4) and (5) to the contract with Amarillo Utility Contractors for work performed on the sanitary sewer main placement west of Soncy Road. The change orders are a result of changed conditions. Thus far in the project total change orders result in a 4.5% increase in the total project costs. Funding for these change orders is available in the original project budget which is within the Department's approved Capital Improvements Budget.

F. Approval – Sanitary Sewer Line Video Agreement:

This item approves an agreement with Atmos Energy Corporation to permit Atmos and their subcontractor Pipe View America, to access and video record City sanitary sewer mains and private lateral connections to those mains for the purpose of avoiding damaging either in the conduct of directional drilling activities by Atmos and their subcontractors.

G. Approval – Amendment 1 to Agreement for Engineering Services for Lift Station 32 Design:

Kiley Horn and Associates, Inc. -- \$694,960.24

This item approves an amendment to the agreement for Engineering Services with Kimley Horn and Associates for the continued design of Lift Station #32 and associated sanitary sewer mains and components. Kimley Horn and Associates was selected in 2013 via a Request for Qualifications process as the most qualified firm to provide the necessary engineering services associated with the planning and design of Lift Station #32. The original design is nearing completion and due to continued development interests in the area, staff feels it necessary to expand the scope of the project to include the design of additional sanitary sewer mains and to secure technical assistance in the preparation of the loan application with the Texas Water Development Board. It is anticipated the total project construction costs will exceed \$15 Million. Funding for this agreement is available in the Department's Capital Improvements budget.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; voting NO none; the motion carried by a 5:0 vote of the Council. Voting no were none.

Mayor Harpole announced that this is the end of the regular agenda, but 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.

Gary Pitner, #1 Sutton Place, thanked Jarrett Atkinson for his work at the City. Eloy Heras, 1604 South Harrison Street, stated he was concerned about possibly receiving Syrian refugees. Bob Juba, 550 South Avondale Street, reiterated comments made about City Manager Jarrett Atkinson. Hanna Huff, 107 20th Street, Canyon, Thomas

Edwards, 1027 20th Street, Canyon, Blaze (Unintelligible) 2112 South Jackson Street, Lisa Garza, Canyon, Aaron Reyes, Redeemer Church, 103 North Rosemont, Virginia Williams Trice, 1504 Bowie Street, Terry Tucker, 7865 Canyon Drive, all expressed their concerns on Ordinance No. 7333 and requested its repeal.

Mike Ford, 7005 Alpine Lane, stated the purchase of the Coca-Cola building by AEDC should have been a 504.125 Type B project and should have required a public hearing and election. Trina Harper, 505 South Independence Street, stated she was not in favor of the ballpark and she was not able to vote because the location was not near her residence. She further asked that the Council to protect its citizens from the refugee crisis. Matt Ricks, 4607 West 38th Avenue, stated the need for refugee and immigration policies due to the events that have unfolded this week. Allen Finegold, 2601 North Grand Street, stated he saw no problem with receiving Syrian refugees fleeing violence. Carolyn Thornton, 1947 South Marris Street, stated she never seen the Council make quick decisions on substandard structures. Trina Fournier, 4427 South Hayden Street, stated Mr. Atkinson would be sorely missed. She further stated she was disgusted by the lack of compassion shown for the refugees. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor