

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 8th day of April 2014, 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 E. 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
JIM SIMMS	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.

Proclamation was presented for "Sexual Assault Awareness Month."

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 April 1, 2014. Motion was made by Councilmember Simms; motion was seconded by Councilmember Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of a 18.79 acre tract of unplatted land in Section 61, Block 9, BS&F Survey, Potter County, in the vicinity of Interstate 40 and Soncy Road/Loop 335 from Agricultural District to Light Commercial District. Motion was made by Councilmember Escajeda, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7455**

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 PROEPRTY IN THE  
VICINITY OF INTERSTATE HIGHWAY FORTY AND  
SONCY ROAC, POTTER COUNTY, TEXAS, PROVIDING A  
SAVINGS CLAUSE, PROVIDING A REPEALER CLAUSE;  
AND PROVIDNG AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Escajeda and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of Lot 3, Block 3, Amended Southside Acres Unit No. 12, Section 230, Block 2, AB&M Survey, Randall County, in the vicinity of South Georgia Street and Southwest 58<sup>th</sup> Avenue from Office District 2 to Office District 2 with a specific use permit for operation of a sports club. Motion was made by Councilmember Green seconded by Councilmember Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7456

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 PROEPRTY IN THE VICINITY OF SOUTHWEST FIFTY-EIGHTH AVENUE AND GEORGIA STREET, RANDALL COUNTY, TEXAS, PROVIDING A SAVINGS CLAUSE, PROVIDING A REPEALER CLAUSE; AND PROVIDNG AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Escajeda and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: : Mayor Harpole presented a resolution conducting a public hearing on and to consider ordering the removal of a substandard structure located at 1602 South Pierce Street. Motion was made by Councilmember Simms to select option iii, seconded by Councilmember Escajeda, motion passed 4:0:1 with Councilmember Eades abstaining, and that the following captioned resolution be passed:

RESOLUTION 04-08-14-1

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.

Elijah Demerson and Scott McDonald, Building Official were sworn in. Mr. McDonald stated the property at 1602 South Pierce Street is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. The property was posted with an onsite notice of condemnation hearing placard on March 20, 2014. There are no current taxes due on the property and no delinquent taxes due. There has been no water service on the property since 2012. There are no liens owed to the City for prior mowing or cleanup on the property.

Councilmember Green asked Mr. McDonald if the property was currently secure. Mr. McDonald stated he had updated photographs in which window glass was being installed.

Elijah B. Demerson, P. O. Box 9692, Amarillo, Texas 79105, owner of the property, stated the previous tenant was evicted and the property has not been available for rent. He stated he received a call from Building Safety that the property was not secured. He further stated he has contracted with each building trade, plumbing, and heating and air, who stated there were no major malfunctions. The electrician said there were no major problems that would require a permit. Mr. Demerson stated he had two or three meetings with Craig Brown from Building Safety. Mr. Brown pointed out different problems with the property. Mr. Demerson stated as soon as a tenant is evicted, they call Building Safety. He further stated all the broken windows have been replaced and access has been closed. There are no hanging wires, the light fixtures are now in place and new flooring in the kitchen. Mr. Demerson stated he understood the importance of this process, and asked the Council to let him know what else he needs to do to the property. Council Green asked Mr. Demerson if it was his testimony that the property was now secure. Mr. Demerson answered yes.

Mr. McDonald stated a stop work was issued for working without a permit. To his knowledge, no contractor has been called on the foundation issues. Councilmember Simms stated Council has an obligation to make structures safe and clean. (Dr. Eades came in during this Item in progress.)

Mr. Norris stated the difference between item iii and item iv, is that item iii declares it a dangerous structure immediately and it would not come back to Council. Item iv would bring the structure back to the Council if repairs are not made.

Mr. McDonald summarized that within 60 days, item iii would allow Mr. Demerson to provide the scope of work, show substantial progress, financial backing, and obtain licensed contractors. Councilmember Escajeda stated that if the work was not done within 60 days, the house will be demolished.

Voting AYE were Mayor Harpole, Councilmembers Green, Escajeda and Simms; voting NO were none; the motion carried by a 4:0:1 vote of the Council. Councilmember Eades abstaining.

**ITEM 5:** Mayor Harpole presented a resolution conducting a public hearing on and to consider ordering the removal of a fire damaged detached garage substandard structure located at 3617 Northeast 23<sup>rd</sup> Avenue. Motion was made by Councilmember Escajeda to select options ii and v, seconded by Councilmember Eades, and that the following captioned resolution be passed:

RESOLUTION 04-08-14-2

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 and stated the property at 3617 Northeast 23<sup>rd</sup> Avenue is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. The detached garage suffered fire damage on December 9, 2012. The property was posted with an onsite notice of condemnation hearing placard. There has been no permit activity. There are no current taxes due on the property and no delinquent taxes due. There are no liens owed to the City for prior mowing and cleanup on the property.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 6:** Mayor Harpole presented a resolution conducting a public hearing on and to consider ordering the removal of a substandard structure located at 3214 Northwest 2<sup>nd</sup> Avenue. Motion was made by Councilmember Eades to select option ii, seconded by Councilmember Green, and that the following captioned resolution be passed:

RESOLUTION 04-08-14-3

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 and stated the property at 3214 Northwest 2<sup>nd</sup> Avenue is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. The property was posted with an onsite notice of condemnation hearing placard on March 4, 2014. There has been no permit activity. There are \$995.54 current taxes due on the property and \$2,279.58 delinquent taxes due for tax years 2011 and 2012. There has been no water service on the property since June 30, 2011. There is \$4,982.50 owed to the City for prior mowing and cleanup on the property.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 7:** Mayor Harpole presented a resolution conducting a public hearing on the 2014 Program of Projects and authorizes the City of Amarillo to submit grant applications to the Texas Department of Transportation (TxDOT) for fiscal year 2013-14 operating and capital assistance for the Amarillo City Transit Department. The FTA funding assists with 80% of capital projects and 50% of the operating costs. The FTA allocation for Amarillo is 4.8% less than last fiscal year. The City will receive an allocation from both the Federal Transit Authority and the Texas Department of Transportation as follows.

Federal FTA Funds	\$3,168,446
TxDOT Funds	\$ 393,842
Local Funds	<u>\$1,777,576</u>
Total Capital and Operating	\$5,339,864

Mayor Harpole stated the City will be faced with finding ways to provide these services in the future. Councilmember Simms commended the City's Transit System and its employees.

Judy Phelps, City Transit, stated the City provides two services, eight fixed routes and eight Spectran buses which provides curb-to-curb services for people with disabilities. Those services run from 6:00 a.m. until 8:00 p.m., Monday through Saturday. Interviews for Spectran services are held at the Panhandle Living Center. All vehicles are equipped with lifts, wheelchairs, and stop announcement systems and bus drivers are trained to assist riders needing assistance.

Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned resolution be passed:

RESOLUTION NO. 04-08-14-4

A RESOLUTION CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT PROGRAM OF PROJECTS; AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 8: Mayor Harpole presented a resolution changing the "One Hour Parking," restriction to "Two Hour Parking," restriction at and on the east side of the 700 block of South Taylor Street; a "No Parking Anytime," restriction on the north side of Ventura Drive from Interstate 27 to Bell Street; and a "No Parking Anytime," restriction on both sides of Viking Drive from Hollywood Road to Ventura Drive. These parking restrictions are recommended by a 8:0 vote of the Traffic Commission. Mr. Atkinson stated these were property owner initiated. The Traffic Commission studies their requests and then makes recommendations. Motion was made by Councilmember Simms, seconded by Councilmember Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 04-08-14-5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: IMPOSING PARKING RESTRICTIONS ON SEGMENTS OF SOUTH TAYLOR, VENTURA DRIVE, AND VIKING DRIVE; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, Escajeda and Simms; 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. Councilmember Green asked that Item B be removed for separate consideration. Motion was made by Councilmember Escajeda to approve Items A,C,D, and E, seconded by Councilmember Eades, and unanimously carried. Motion was also made by Councilmember Escajeda and seconded Councilmember Eades to approve Item B; motion carried by a 4:0:1 with Councilmember Green abstaining. Motions also authorized the City Manager to execute all documents necessary for each transaction.

A. Award – Eastridge Park Lighting and Electrical Upgrades:

Award to low responsive bidder: Brown Construction Services - \$93,765.00

This item awards a contract for the purchase and installation of 27 park walking trail lights around the perimeter of Eastridge School Park. Funding for this project is available from the approved 2013-2014 Community Development Annual Action Plan. The cost of the project represents a 4.5% increase from the last purchase in June 2013.

B. Approval – Wrap Network for City of Amarillo Health Plan:

Award to best evaluated proposer: Multiplan, Inc. - \$102,204 annual estimated cost

This item approves a contract to secure out-of-network health insurance coverage for the City of Amarillo health plan. The proposed network will

reduce incurred costs for healthcare services that must be accessed outside of the primary Alliance Regional Network or for services outside of Amarillo. The proposals were evaluated by City staff and by Holmes Murphy Associates with the recommendation to contract with MutliPlan, Inc. at a cost of \$4.25 per month per primary covered member of the plan. Overall, this will provide the opportunity for significant cost savings for services outside of the primary Alliance Regional Network. Funding for this contract is available within the current approved Health Plan budget.

- C. Approval Task Order #14 – Professional Services Contract -- Reconstruction of Rosenwald and Batson Drive:  
KSA Engineers, Inc.: \$111,325

This item approves a task order to KSA Engineers, Inc. for the necessary engineering design and bidding phase services for the reconstruction of Rosenwald and Batson Drives at the Rick Husband Amarillo International Airport. The cost of this contract will be funded 90% by current Federal Aviation Administration (FAA) dedicated grant funds with the remaining 10% funded by budgeted Airport matching funds.

- D. Dedications and Acceptances:

- 1) A 20' public utility easement and a 1.28 acre temporary construction easement in Section 231, Block 2, AB&M Survey, Randall County, Texas
- 2) Two drainage easements in Section 65, Block 9, BS&F Survey, Randall County, Texas

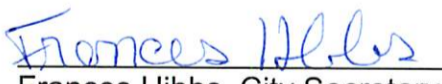
- E. Sale – Property:


Sheriff Sale Property in Randall 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. Edmund Johnston, 2116 South Hayden Street, stated the City was spending too much taxpayer money for salaries. The recent newspaper article stated there were over 28 employees making over \$100,000 year. He further stated they were capable in their positions, but wasting taxpayer monies. Councilmember Simms invited Mr. Johnston to the City's budget review in August. Carolyn Thornton, 1947 South Marrs Street, stated she attended the Council budget meetings last year and it opened her eyes. There were no further comments.

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

ATTEST:

  
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Frances Hibbs, City Secretary

  
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Jim Simms, Mayor Pro Tem