

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 27th day of May 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 S.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.

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 May 20, 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 amending Chapter 8-2, Article I, Sections 8-2-1 and 8-2-6 of the Amarillo Municipal Code regarding definitions and various offenses of inhumane treatment, unlawful restraint of dogs, presumptions, investigation and prosecution of offenses. The proposed changes are the result of several months of work by the Amarillo Animal Control Board and are recommended to the City Council for approval by a 4-0 vote. Marcus Norris stated this section expands the definitions for guidance to adequate food, water, shelter and clarifies the owner as the adult in charge of the premise. It aids in the prosecution and prohibits tail bobbing and ear cropping. It also strengthens the state law on the tethering provision. A chain leash may still be used but not for tethering. An animal must be tethered three feet from a public sidewalk. Tethering must also have swivels on each end and not hinder the animal to food, shelter and water. Shea White, 4212 West 12 Avenue, stated under state law, an animal may not be tethered more than three hours out of 24 hours. Councilmember Green stated the Animal Control Board has done the heavy lifting, and she appreciated all their work. Mayor Harpole stated the importance of board volunteers. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, and that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7461

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, Chapter 8-2, Article I, Sections 8-2-1 AND 8-2-6 REGARDING DEFINITIONS AND VARIOUS OFFENSES OF INHUMANE TREATMENT, UNLAWFUL RESTRAINT OF DOG, PRESUMPTIONS, INVESTIGATION AND PROSECUTION OF OFFENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW;

PROVIDING PENALTY; PROVIDING FOR PUBLICATION
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 3: Mayor Harpole presented an ordinance amending Chapter 8-2, Article I, of the Amarillo Municipal Code by adding Section 8-2-2. The proposed Section 8-2-2 clarifies the authority of an Animal Control Officer or other Texas peace officer to enforce this chapter of the Code or state laws and to issue citations, notices of violation, seizing animals, and obtaining warrants or court orders pertaining to animals. This amendment is recommended by the Presiding Judge of the Amarillo Municipal Court and the City Attorney. Mr. Norris stated the recent purchase of ticketwriters for the Animal Control officers will give them the same technology used by the police officers. Motion was made by Councilmember Eades, seconded by Councilmember Green, and that the following captioned ordinance be passed on first reading

ORDINANCE NO. 7462

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLE I, SECTION 8-2-2 CLARIFYING ANIMAL CONTROL ENFORCEMENT AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING FOR 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 4: Mayor Harpole presented a resolution authorizing the City Manager to enter into an agreement with the Texas Department of Transportation for Phase III of the Loop 335 Expansion project I-27 to Washington relative to the relocation of City Utilities in existing rights-of-way. This is a continuation of the projects approved previously as Phase I and II. The estimated cost of the utility relocation work under this Phase is \$2.98 million, of which, the City is eligible to receive reimbursement in the estimated amount of \$510,520. This agreement begins the process of designing and ultimately bidding the relocation projects. There is current funding available in the amount of \$1.49 million in the Utilities Division Capital Improvement Program and the remaining \$1.55 million will be included in the proposed 2014 Utilities Division Capital Improvement Program budget request. Motion was made by Councilmember Green, seconded by Councilmember Simms, and that the following captioned resolution be passed:

RESOLUTION 05-27-14-1

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING CITY MANAGER TO ACT ON BEHALF OF THE CITY IN A COOPERATIVE PROJECT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

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 5: Mayor Harpole advised that appointment is needed for the TIRZ #1 Board. Motion was made by Councilmember Simms seconded by Councilmember Escajeda and unanimously carried for the reappointed of Anette Carlisle for the Amarillo Independent School District and Chuck Speed for the Amarillo Hospital District to the TIRZ #1 Board, such terms to expire on 03/20/2016. 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 the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Approval – Engineering Services – Lift Station 40 Variable Frequency Drive Project:

Award to best evaluated proposer: Alan Plummer Associates, Inc. -- \$145,466.00

This item awards an engineering contract for the design, specifications, plans and contract documents necessary to install two large Variable Frequency Drive (VFD) motors at Lift Station 40. The project will accommodate the replacement of the VFD units while maintaining continuous operation of the lift station. The existing VFD units have been in use since 1998 and approaching the end of their useful service life. Lift Station 40 is a critical component of the wastewater collection system and it is necessary to both replace the VFD units and maintain operations. Funding for this award is available in the Utilities Division Capital Improvement Program budget.

B. Approval – Real Estate Purchase:

Parties: City of Amarillo and Patricia Hearn

Location: Lots 3 thru 19 plus vacated alley, Block 4, Glidden & Sanborn Addition, Potter County, TX

Terms and Conditions: As noted

Purchase Price: \$400,000.00

This item approves the purchase of the property located at 111 S. Taylor Street and 112 S. Fillmore Street in Amarillo. This property is located immediately north of the existing parking lot at the Amarillo Police Department and is necessary to accommodate the growth in both the staff and public needs for parking at the Amarillo Police Department and the Amarillo Municipal Court. The Police and Courts buildings were put into operation in 1992. Since that time, The Police Department staffing has increased and the police fleet has increased as well. Funding for this purchase will be from Amarillo Police Department Seized funds and from the General Construction Fund reserve.

C. Approval – Chlorine Annual Contract:

Award to low responsive bidder: Brenntag Southwest, Inc. -- \$138,898.80

This item awards an annual contract for chlorine for the Osage Water Treatment Plant and the River Road and Hollywood Wastewater Treatment Plants. The contract is for approximately 324 tons of chlorine to be delivered on an as-needed basis. The proposed contract reflects a decrease of 9.5% from last year's contract. Funding for this purchase is available in the approved FY 2013-2014 Utilities Division operating budgets for the three plants.

D. Approval – Law Enforcement Interlocal Agreement:

Texas Department of Criminal Justice

This item approves a mutual aid law enforcement agreement between the City of Amarillo Police Department and the Texas Department of Criminal Justice (TDCJ) Clements and Neal Units. The agreement will provide officers and equipment to protect the health, life and property of the requesting jurisdiction and its inhabitants. The agreement has a one year term.

E. Sale – Property:

Sheriff Sale Property 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.

Alan Abraham, 7205 Southwest 35th Avenue, stated public servants were spending taxpayer dollars for downtown reinvestment, and there was no public vote on any of those expenditures. Mayor Harpole replied that there have been numerous public meetings concerning the comprehensive and downtown plans. He further explained the increase in property values downtown and the economic growth created from the

Amarillo Economic Development Corporation.


Allen Finegold, 2601 North Grand, stated the citizen speaking limit of three minutes needed to be increased. Mr. Harpole explained the rules of the Open Meetings Act and stated he would happily meet with anyone to discuss any issue. Mr. Norris stated under the Texas Open Meetings Act the Council is not required to have an open microphone. The Council cannot debate an issue, they are only allowed to respond by a statement of fact, law, or refer to City staff.

Judy Glidewell, 176 Dolphin Terrace, suggested to the Council that meetings be held in the evenings rather than in the day. Councilmember Eades stated the Council has tried evening meetings over the years however, they did not find any consistency and were not effective. Stephanie Cook, 1615 South Tyler, stated the Animal Control situation was a travesty and the employees in question should not remain on the City's payroll.

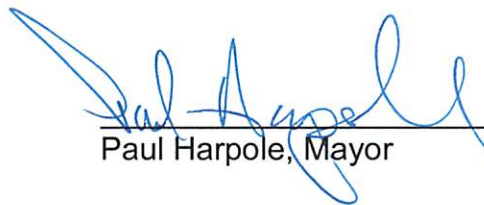
Robert Goodrich, 4111 Stony Point, inquired about the TIRZ Board candidates and how they were selected. Mr. Norris explained that these particular appointments were from other taxing entities and the City Council was ratifying those appointments. Mr. Atkinson stated the City maintains a running list of people who have stated an interest in a particular board or commission and vacancies are posted on the agendas. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor