

STATE OF TEXAS
 COUNTIES OF POTTER
 AND RANDALL
 CITY OF AMARILLO

On the 26th day of August 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 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELLEN ROBERTSON GREEN	COUNCILMEMBER NO. 1
LILIA ESCAJEDA	COUNCILMEMBER NO. 3
JIM SIMMS	COUNCILMEMBER NO. 4

Absent was Brian Eades. 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 Gil Lain, Paramount Baptist 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 1: Mayor Harpole presented the minutes of August 19, 2014. Motion was made by Councilmember Simms; motion was seconded by Councilmember Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole opened a public hearing and stated that the City of Amarillo is considering a tax rate of \$0.34509, which is greater than the current rate. This proposed rate will raise more taxes than last year's tax rate. The tax rate will effectively be raised by 3.92 percent. The tax on an average home last year was \$385.51. The tax on an average home would be \$399.01 under the proposed rate. There were no comments. Mayor Harpole closed the public hearing.

ITEM 3: Mayor Harpole opened a public hearing to gather input on a potential ordinance regulating "credit access businesses (CAB)," providing definitions, registration requirements, credit extension guidelines and inspection of records. The Council will receive comments from the public in order to determine if an amendment to the Amarillo Municipal Code is necessary for businesses engaged in loan transactions commonly known as Payday Lending, Auto Title Lending or similar activities.

Marcus Norris stated state law regulates some aspects of credit access businesses but not fees. He also pointed out: 1) the CAB will register with the City; 2) copies of documents will be available for inspection; 3) forms will be provided in English and Spanish, they must be verbally read to persons who cannot read, and CAB will provide a translator, if needed; 4) 25% of every loan payment must reduce the principle amount; 5) CAB can qualify no more than 25% of a person's monthly income; 6) the loan cannot be more than 3% of a person's gross income or 7% of the retail value of the vehicle; and 7) CAB will not be allowed to refinance loans more than three (3) times. Registration will be through the Building Safety Department and it is anticipated that enforcement will be contracted with an outside firm.

Mayor Harpole stated in late July an extensive public meeting was held on this topic. He further stated there would be another public hearing next week. Mr. Atkinson stated copies of the proposed ordinance were available. There were no additional comments. Mayor Harpole closed the public hearing.

NOTE: Skipped to Items 14, 15 and 16. Then back to Item 4.

ITEM 4: Mayor Harpole presented an ordinance adopting the 2014/2015 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). Motion was made by Councilmember Escajeda, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7475

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2014-2015; ADOPTING A BUDGET FOR FISCAL YEAR 2014-2015 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Councilmembers Green, Escajeda and Simms; voting NO were none; the motion carried by a 3:0:1 vote of the Council with Mayor Harpole abstaining.

ITEM 5: Mayor Harpole presented an ordinance adopting the 2014/2015 budget and five (5) year service plan, adopting the 2014/2015 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Quail Creek Public Improvement District (PID). Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7476

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2014-2015; ADOPTING A BUDGET FOR FISCAL YEAR 2014-2015 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 6: Mayor Harpole presented an ordinance adopting the 2014/2015 budget and five (5) year service plan, adopting the 2014/2015 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Vineyards Public Improvement District (PID). Motion was made by Councilmember Simms, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7477

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE VINEYARDS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2014-2015; ADOPTING A BUDGET FOR FISCAL YEAR

2014-2015 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLATIONS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 7: Mayor Harpole presented an ordinance changing the zoning of Lots 4 and 5, Block 2, Ridgeview Medical Center Unit No. 2, in Section 43, Block 9, BS&F Survey, Potter County, from Planned Development 145 to Office District 1 in the vicinity of Coulter Street and Fleming Avenue for medical office and pharmacy uses. Motion was made by Councilmember Escajeda, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7478

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 COULTER STREET AND FLEMING AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING 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 8: Mayor Harpole presented an ordinance vacating a portion of an existing 20 foot alley in Block 6, Skyline Terrace Unit No. 2, in Section 135, Block 2, AB&M Survey, Potter County, in the vicinity of Northeast 24th Avenue and Manhattan Street. This vacation request is to develop the site with the Travis 6th Grade Academy. Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7479

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSARY FOR PORTION OF AN EXISTING TWENTY FOOT ALLEY IN THE VICINITY OF NORTHEAST TWENTY-FOURTH AVENUE AND MANHATTAN STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT CREATION OF A PUBLIC UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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 9: Mayor Harpole presented an ordinance to amend Chapter 16-4, Article III, Division 1, Section 16-4-4; Chapter 16-4, Article III, Division 3, Sections 16-4-74 through 16-4-83; and Chapter 16-4, Article IV, Section 16-4-151 of the Amarillo Municipal Code to further define and regulate vehicles for hire and to amend the definition of limousines and taxicabs.

Mr. Norris explained the proposed ordinance amends vehicles for hire to cover a new type of vehicle service for hire known as Uber. The proposed ordinance would recognize Uber drivers as the same for taxis or limo drivers, and they would be required to obtain a permit. This procedure assures that the Police Department has vented the Uber drivers and their information is available in a database. The permit would cost a nominal fee of \$6 per year. Mr. Norris also stated he has spoken to Uber and they have no opposition for the drivers to comply with these requirements. Motion was made by Councilmember Simms, seconded by Councilmember Escajeda, that the following

captioned ordinance be passed on first reading:

ORDINANCE NO. 7480

AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 16-4, ARTICLE III, DIVISION 1, SECTION 16-4-41; DIVISION 3, SECTION 16-4-754 THROUGH 16-4-83, AND CHAPTER 16-4, ARTICLE IV, SECTION 16-4-151, PERTAINING TO VEHICLES FOR HIRE AND LIMOUSINES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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 10: Mayor Harpole presented an ordinance to amend Chapter 8-2, Article I, Section 8-2-10 to better reflect current industry norms related to insurance coverage for harboring a dangerous animal and to amend Chapter 8-2 to change the name of the "Animal Control Department" to the "Animal Management & Welfare Department" and to accordingly amend all similar references to the same.

Mr. Norris stated this ordinance amends the insurance requirements for dangerous dogs in the city limits. He also stated it changes the references from Animal Control to Animal Management & Welfare. Councilmember Green stated this ordinance does not declare a specific breed as dangerous. Mr. Norris replied that state law prohibits a breed specific ordinances. Motion was made by Councilmember Escajeda, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7481

AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLE I, SECTION 8-2-10(A)(1) TO UPDATE INSURANCE REQUIREMENTS FOR DANGEROUS ANIMALS AND TO CHANGE DEPARTMENTAL NAME THROUGHOUT CHAPTER 8-2; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND 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 11: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of two substandard structures located at 1427 Northwest 17th Avenue. Motion was made by Councilmember Green to select options ii and v, seconded by Councilmember Simms, and that the following captioned resolution be passed:

RESOLUTION 08-26-14-1

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.

Scott McDonald, Building Official was sworn in and stated the residential wood framed structure and accessory structure at 1427 Northwest 18th Avenue is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. It has been vacant since May 2006. The original placard was posted on July 29, 2014. There has been no permit activity. The current taxes due on the property are \$625.48 and the delinquent taxes are \$1,173.13. There is \$825.51 owed to the City for prior mowing and cleanup on the property.

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 12: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a structure located at 1431 Northwest 18th Avenue. Motion was made by Councilmember Simms to table this item for four weeks, seconded

by Councilmember Escajeda, and that the following captioned resolution was tabled:

RESOLUTION 08-26-14

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 this residential wood framed structure at 1431 Northwest 18th Avenue is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. It has been vacant since December 2004. The original placard was posted on July 29, 2014. There has been no permit activity or attempt by the owner. There are no taxes due on the property and no delinquent taxes. There are liens of \$359.03 owed to the City for prior mowing and cleanup on the property.

Yolanda Vasquez, 600 Bennett Street, Dumas, Texas and her brother, Manuel Hernandez, 920 Olton Street, Dumas, Texas, were also sworn in. Translations were by Councilmember Escajeda and Lupe Quinonez, city employee. Ms. Vasquez stated the house was in her name and her brother was working on the interior. He asked for permission to finish. Mr. McDonald stated he was not aware of any conversation with the Building Safety Department and that no permits have been issued for this property. Mayor Harpole suggested to end the hearing and reschedule.

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 13: Mayor Harpole presented a resolution approving the 2014/2015 budget and associated program of services for the Amarillo Hospital District. This budget is recommended for approval by the Amarillo Hospital District Board of Managers. Michelle Bonner presented the 2014/2015 budget which was approved at the AHD meeting in July. Motion was made by Commissioner Escajeda, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 08-26-14-2

A RESOLUTION OF THE CITY OF AMARILLO CITY COMMISISON: ADOPTING THE BUDGET OF THE AMARILLO HOSPITAL DISTRICT FOR THE FISCAL YEAR OCTOBER 1, 2014, TO SEPTEMBER 30, 2015.

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

ITEM 14: Mayor Harpole presented a resolution approving the 2014/2015 Amarillo Economic Development Corporation (AEDC) Budget. This budget is funded by an existing one-half cent local sales tax and is utilized to attract and develop industrial, manufacturing and associated economic development enterprises as well as to retain and expand existing qualified business. These activities create employment and economic development opportunities for our community. This budget is recommended for approval by the Amarillo Economic Development Corporation Board of Directors.

Buzz David, President of Amarillo Economic Development Corporation, stated the budget was identical to the 2013/2014 with the exception of a 3% increase for payroll. Alan Abraham, 7205 Southwest 35th Avenue, inquired if the reserves were public knowledge. Mr. Atkinson stated they were. Mr. David replied there were two different reserves, one was an administration reserve and the other was for projects. He further stated the majority of the reserves were committed and the annual audit was available on the AEDC website which included detailed information on the reserves and debt service. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 08-26-14-3

A RESOLUTION OF THE CITY OF AMARILLO CITY COMMISISON: ADOPTING THE BUDGET OF THE AMARILLO ECONOMIC DEVELOPMENT CORPORATION FOR THE FISCAL YEAR OCTOBER 1, 2014, TO SEPTEMBER 30, 2015.

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

ITEM 15: Mayor Harpole presented a resolution approving the 2014/2015 Center City Tax Increment Reinvestment Zone #1 budget. The TIRZ #1 is a cooperative effort of various governmental entities and was created in 2006 to facilitate the revitalization of downtown Amarillo and financially assist in the implementation of the Downtown Amarillo Strategic Action Plan. This budget has been recommended for approval by the TIRZ #1 Board of Directors.

Richard Brown, stated the budget was similar to last year's budget. The board has a commitment to pay \$2.7 million toward landscaping the proposed convention hotel downtown and a \$400,000 match for landscaping with TxDot. Mayor Harpole applauded Mr. Brown's dedication spent on downtown revitalization. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 08-26-14-4
A RESOLUTION OF THE CITY OF AMARILLO CITY
COMMISISON: ADOPTING THE BUDGET OF THE
CENTER CITY TAX INCREMENT REINVESTMENT ZONE
NUMBER 1 (TIRZ #1) FOR THE FISCAL YEAR OCTOBER
1, 2014, TO SEPTEMBER 30, 2015.


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

ITEM 16: Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Councilmember Escajeda, seconded by Councilmember Green, and unanimously carried to reappointment to the Redstone Public Improvement District, Charlie Hamilton, such terms to expire September 1, 2015. 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.

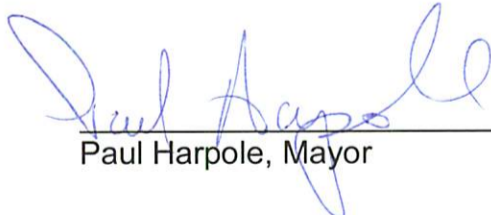
Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda. There were no comments.

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

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor