

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 2nd day of September 2014, the Amarillo City Council met at 3:30 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 5:30 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
ELLEN ROBERTSON GREEN
BRIAN EADES
JIM SIMMS

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 4

Absent was Lilia Escajeda. Also in attendance were the following administrative officials:

JARRETT ATKINSON
VICKI COVEY
MARCUS NORRIS
KELLEY SHAW
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by Mayor Paul Harpole. Mayor Harpole also led the audience in the Pledge of Allegiance.

A proclamation was presented for National Senior Centers 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 August 26, 2014. Motion was made by Councilmember Simms; motion was seconded by Councilmember Eades, 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. Mayor Harpole stated there was an informative meeting held on this subject in July, and direct mail postcards were sent announcing the public hearings. There were no comments. Mayor Harpole closed the public hearing.

ITEM 4: Mayor Harpole presented an ordinance changing the zoning of Lot 2, Block 3, Western-Air Addition Unit No. 4 and Lot 8C, Block 3, Western-Air Addition Unit No. 16, all in Section 229, Block 2, AB&M Survey, Randall County, from Planned Development District 114A to Amended Planned Development, in the vicinity of Virginia Street and Southwest 45th Avenue for a change in existing sign regulations. This is recommended for approval by a 6:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7482
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 VIRGINIA STREET AND SOUTHWEST FORTY-FIFTH AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented an ordinance to consider granting a variance from Section 14-3-5 of the Amarillo Municipal Code regarding distance requirements from public/private schools and daycare centers and a premise licenses to sell alcohol for off premise consumption. An applicant has requested a variance for two sites, one at Southwest 58th Avenue and Georgia Street and one at the southeast corner of Arden Road and Coulter Street. The specific variance sought is to allow two proposed full-service grocery stores at the above locations to be licensed to sell off-premise, packaged alcoholic beverages that do not meet the required distances from a public/private school or daycare center. These variances are recommended for approval by a 6:0 vote of the Planning and Zoning Commission. Councilmember Eades stated he felt comfortable with the distances. Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7483

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS PROVIDING FOR A VARIANCE ON DISTANCE REQUIREMENTS FOR AN ALCOHOL LICENSE; PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW AND EFFECTIVE DATE.

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

ITEM 6: Mayor Harpole presented an ordinance to amend Chapter 16-4, of the Amarillo Municipal Code to further define and regulate vehicles for hire and to amend the definition of limousines and taxicabs. Motion was made by Councilmember Simms, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final 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 16-4-74 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, Eades and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 7: Mayor Harpole presented an ordinance to amend Chapter 8-2, of the Amarillo Municipal Code to better reflect current industry norms related to insurance coverage for harboring a dangerous animal and 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. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final 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, Eades and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 8: Mayor Harpole presented a resolution approves the 2014/2015 Budget for the Amarillo-Potter Events Venue District. This budget is funded through a 5% car rental tax and a 2% hotel occupancy tax. The Amarillo-Potter Events Venue District operates and maintains voter approved entertainment venues within the City. This budget is recommended for approval by the Amarillo Potter Events Venue District Board. Mayor Harpole stated the largest part of the income comes from visitors. Motion was made by Councilmember Green, seconded by Councilmember Simms, and that the following captioned resolution be passed:

RESOLUTION 09-02-14-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING THE PROPOSED OPERATING BUDGET FOR THE FISCAL YEAR 2014-2015 FOR THE AMARILLO-POTTER EVENTS VENUE DISTRICT.

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

ITEM 9: Mayor Harpole presented a resolution providing Amarillo's consent to the possible refunding of the Series 2005 Contract Water Revenue Bonds for the CRWA Groundwater Project as recommended by the Authority's financial advisor. As a member city, Amarillo consents to the refunding only if certain present value savings targets can be achieved as determined by the Authority's Board of Directors. Mr. Atkinson reported that using current numbers the savings would be approximately \$4.8 million or 10% of the total amount of bonds, which is a significant savings to Amarillo and the other cities. Motion was made by Councilmember Simms, seconded by Councilmember Eades, and that the following that the following captioned resolution be passed:

RESOLUTION 09-02-14-2

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS, AUTHORIZING REFUNDING OF CANADIAN MUNICIPAL WATER AUTHORITY CONTRACT REVENUE REFUNDING BONDS, SERIES 2005 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT) AND/OR CANADIAN RIVER MUNICIPAL WATER AUTHORITY CONTRACT REVENUE BONDS, SERIES 2006 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT).

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

ITEM 10: Mayor Harpole presented a bid protest to Bid No. 4730 for Heavy Trucks. The City's Purchasing policies provide bidders with the right to appeal disputes regarding bids and the award thereof. Such an appeal is made first to the Purchasing Department, then to the City Manager, and finally to City Council, if the matter is not resolved. Summit Truck Group did not timely comply with required paperwork for the bid submission and staff disqualified the sealed bid as non-responsive. Summit would have been the lowest bid and is appealing the disqualification of the bid to the City Council, who will make the final determination on the matter.

Alton McCormick, General Manager of Roberts Truck Center read short letter requesting the City Council to uphold the protest of Bid No. 4730 (collection trash trucks). He stated the original bid meet 100% of the required specs of the bid, but the bid was rejected because Addendum No. 1 was not attached. Mayor Harpole stated Roberts Truck Center has been a great supplier to the City over the years. Motion was made by Councilmember Eades to support the decision of the Purchasing Department and Roberts Truck Center as a non-responsive bidder, seconded by Councilmember Green.

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

ITEM 11: Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Councilmember Green, seconded by Councilmember Simms, and unanimously carried to reappoint to the Canadian River Municipal Water Authority, William Hallerberg such term to expire July 31, 2016; reappoint to the Colonies Public Improvement District, Tracy Byars and replace Joe Norman with Matt Brister such term to expire 09/30/2017; reappoint to the Point West

Public Improvement District, Dick Fausset, Joe McCormick and Loyd Romans such terms to expire 09/30/2017; appointment to the Redstone Public Improvement District, Sharon Arthur such term to expire 09/01/2015; and reappointment to the Vineyards Public Improvement District, Thomas Nielsen and Thomas Nielson, Jr. and replace Eric Nielsen with Kent Meyer, such terms to expire 09/30/2015.

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

ITEM 12: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Mr. Atkinson stated the purpose of purchasing 3208 South Washington was for expansion of Fire Station #5. Motion was made by Councilmember Simms, 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. Purchase – Real Property 3208 South Washington:

Parties: Patricia Sutton and City of Amarillo

Price: \$169,000.00

Terms and Conditions: As Noted

This item approves the purchase of the property at 3208 South Washington. With the acquisition of this property, the City will own the east half of the block on which Fire Station #5 is located, which will allow for the future redevelopment and expansion of the station. The existing Fire Station #5 was constructed in 1953. Funding for this purchase is from the General Construction reserve fund.

B. Award – Sanitary Sewer Main Extension:

Award to low responsive bidder: MH Civil Constructors -- \$205,401.15

This item approves a project to extend 1,300 feet of new sanitary sewer main along Hillside Road west from Coulter Street. The project cost is 4% less than the construction estimate. Funding for this project is available in the approved FY 2013-2014 Wastewater Collection Capital Improvement Program budget.

C. Approval - Agreement for Construction Services:

Xcel Energy -- \$69,831.00

This item approves a fixed price agreement with Xcel Energy for the relocation of utility lines between Buchanan and Pierce Streets from Southwest 5th Avenue to Southwest 9th Avenue and from Southwest 7th Avenue from Pierce to Johnson Streets. The agreement includes the removal of the overhead lines and poles. The relocation project is part of the downtown development project.

D. Approval – Airport East Terminal Drainage Project- Task Order #15:

KSA Engineers, Inc. (KSA) -- \$74,929.00

This item approves Task Order #15 with KSA Engineers to provide risk assessment, testing services and reporting associated with the current drainage improvement project on the east end of the Rick Husband International Airport. During construction, contaminated soil was found during the removal of fuel tanks. The scope of the remediation and reporting is stipulated by the Texas Commission on Environmental Quality (TCEQ). Federal Aviation Administration (FAA) will fund 90% of the testing and project documentation. The local 10% match is available in the approved Airport Capital Improvement Program project budget.

E. Dedications and Acceptances:


A 0.16 acre SPS Electric Transmission Line Easement in Section 42, Block 9, BS&F Survey, Potter County, Texas.

ITEM 13: Tim Loan, Assistant Director of Utilities, gave a water production update. He reported the City was still in a drought. Normal rainfall is 15.41" and to-date we have received 13.69". Lake Meredith lowest level was in June 2013 at 26.14', today it is at 44'. Mr. Loan added that if the water is not pumped out of Lake Meredith it would be lost to evaporation. Mr. Loan also presented some conservation tips.

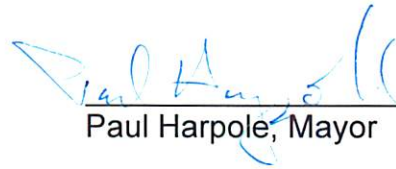
Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council 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