

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 9th day of September 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
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 Bryan Houser, Amarillo Area Baptist Association. Mayor Harpole also led the audience in the Pledge of Allegiance.

A proclamation was presented for Blood Cancer 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 September 2, 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 on fiscal year 2014/2015 budget. This Budget will raise more total property taxes than last year's budget by \$764,289 or 2.15%, and of that amount \$644,297 is tax revenue to be raised from new property added to the tax roll this year. There were no comments. Mayor Harpole closed the public hearing.

ITEM 3: Mayor Harpole presented an ordinance adopting the City of Amarillo budget for the 2014/2015 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7484

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2015, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; ESTABLISHING AND ADOPTING AN OFFICIAL PERSONNEL PLAN FOR THE CLASSIFIED AND UNCLASSIFIED SERVICE AND, ABOLISHING ALL POSITIONS NOT LISTED IN SAID BUDGET; PRESCRIBING THE AMOUNT AND USE OF STATE FEE SCHEDULES FOR PUBLIC INFORMATION; AMENDING VARIOUS PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES AS FOLLOWS: CHAPTER 8-3, ARTICLE IV, CERTAIN SOLID WASTE FEES; CHAPTER 8-5 PROVIDING FOR AND AMENDING CERTAIN HEALTH DEPARTMENT FEES; CHAPTER 12-1, CERTAIN SPORT FEES; CHAPTER 12-3 ADDING LIFEGUARD FEE; CHAPTER 18-2,

PENALTY FOR ILLEGAL WATER METER; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

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

ITEM 4: Mayor Harpole presented an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2014 tax year. This ordinance establishes an ad valorem tax rate of \$0.31915 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02594 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.34509 per \$100.00 property valuation. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. the tax rate will effectively be raised by 3.92 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$5.80. Douglas Mark West, 307 South Kentucky Street, stated he objected to the property tax increase. There were no further comments. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2014; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

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

ITEM 5: Mayor Harpole presented an ordinance an ordinance adding Chapter 14-10 to the Amarillo Municipal Code concerning "Credit Access Business." This chapter provides definitions, registration requirements, credit extension guidelines, inspection of records and other pertinent matters for businesses engaged in credit lending practices commonly known as payday and auto title lending. Mr. Norris presented a summary of the ordinance. There were no further comments. Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7486

AN ORDINANCE AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE OF ORDINANCES TO ADD CHAPTER 14-10, "CREDIT ACCESS BUSINESS", PROVIDING FOR DEFINITIONS, REGISTRATION REQUIREMENTS, CREDIT EXTENSION GUIDELINES, INSPECTION OF RECORDS, AND OTHER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 6: 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. Motion was made by Councilmember Simms, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on second and final 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, Escajeda, Eades and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 7: 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. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final 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, Escajeda, Eades and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 8: Mayor Harpole presented a resolution approves the 2014/2015 Amarillo Convention and Visitor Council budget with funding from hotel/motel occupancy tax revenue collected within the City. The Amarillo Convention and Visitor Council performs tourism, convention and cultural events, promotions and recruitment efforts for the City. Motion was made by Councilmember Eades, seconded by Councilmember Green, and that the following captioned resolution be passed:

RESOLUTION 09-09-14-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING EXPENDITURES OF HOTEL OCCUPANCY TAX REVENUE BY THE AMARILLO CONVENTION AND VISITOR COUNCIL FOR THE FISCAL YEAR OCTOBER 1, 2014 TO SEPTEMBER 30, 2015.

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

ITEM 9: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 1506 Southeast 4th Avenue. Scott McDonald, Building Official was sworn in and stated the residential structure and cinder block accessory structure at 1506 Southeast 4th Avenue is a nuisance to the community and creates an unsafe environment and demolition and cleanup is recommended. It has been vacant since January 2012 and there has been no water service since January 2012. The original placard was posted on August 13, 2014. There has been no permit activity. There are no current taxes due or delinquent taxes due on the property. There are no liens owed to the City. Councilmember Green inquired about an email received by Building Safety. Mr. McDonald replied that Building Safety responded to the email with the necessary forms but received no response. There were no other persons present. Motion was made by Councilmember Green to select options ii, seconded by Councilmember Simms, and that the following that the following captioned resolution be passed:

RESOLUTION 09-09-14-2

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.

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

ITEM 10: Mayor Harpole presented a resolution setting the date and time for a public hearing on September 30, 2014 at 3:00 p.m. to determine if the property at 312 North Pierce Street (rear), constitute public nuisances and thereby declared as dangerous structures. 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 Simms, seconded by Councilmember Escajeda, and that the following that the following captioned resolution be passed:

RESOLUTION 09-09-14-3

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

ITEM 11: Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, and unanimously carried to appoint Page Butler to replace Boyd Johnston on the Greenways Public Improvement District Advisory Board. Voting AYE were Mayor Harpole, Councilmembers Green, Escajeda, Eades and Simms; voting NO were none; the motion carried by a 5:0 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. Motion was made by Councilmember Eades, seconded by Councilmember Green, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Purchase – Heavy Equipment:

Award to low responsive bidder: Yellowhouse Machinery Company -- \$57,969.00

This item approves the nonscheduled purchase of a used 2011 John Deere backhoe/loader for the City Landfill. This will replace an existing 1995 unit that has exceeded its usable life and is nonrepairable. The offered unit includes warranty as part of the bid price. Funding for this purchase is available in the Municipal Garage General Machinery Fund.

B. Purchase – Dell Computer Hardware:

Award on State of Texas Department of Information Resources (DIR) Cooperative Purchase Program to Dell Computers -- \$52,524.29

This item approves the routine purchase of 2 Dell desktop computers, 12 Dell laptops, and 2 Dell PowerEdge servers as replacements for existing equipment which have been in service five or more years. Funding is available in the approved FY 2014 Information Technology Department budget.

C. Purchase – Office Filing System Equipment:

Award on TXMASS Purchasing Contract #12-36010 to Improve Group -- \$164,287.35

This item approves the purchase of four (4) Hanel Office Rotomat Filing Machines for the Women, Infants, and Children (WIC) Nutrition Program. The purchase replaces existing 2003 equipment that is no longer serviceable as the manufacturer is no longer in business. The overall cost difference is 10% higher than the 2003 purchase. Funding for the equipment is available from current WIC grant contracts.

D. Award – Heavy Trucks:

Award to low responsive bidder: Amarillo Truck Center -- \$704,740.00

This item approves the purchase of five (5) 25-yard sideloader refuse trucks for the Solid Waste Collection Department. The budgeted purchases are replacements for four (4) vehicles that have reached or exceeded the useable lifespan and one (1) budgeted additional vehicle. This overall bid represents a 4.5% increase from the 2012 purchase of similar equipment. Funding for this award is available in the approved Municipal Garage fund budget.

- E. Award – Osage Water Treatment Plant Clarifier Rehabilitation:
Award to low responsive bidder: Brown Construction Services – \$208,533.00

This item awards a contract to replace the deteriorating concrete floor surface and grout of the east sedimentation basin at the Osage Water Treatment Plant. The project cost is 35.9% less than the estimated cost. Funding for the award is available in the approved 2014 Utilities Division Capital Improvement Project budget.

- F. Award – Amarillo Civic Center Boiler and Pump Replacement:
Award to low responsive bidder: Plains Plumbing Company, LLC -- \$106,467.00

This item awards a contract for the removal of nine (9) boilers and pumps and the installation of seven (7) new boilers and circulating pumps at the Amarillo Civic Center. The replacement is the result of flood damage to the Amarillo Civic Center. Funding for the removal and replacement work will be from the FM Global Insurance claim process.

- G. Acceptance – MEND Childhood Obesity Prevention Project Grant:
Grantor: Harrington Cancer Foundation -- \$275,000.00
Grantee: City of Amarillo

This item approves a grant funding agreement with the Harrington Cancer Foundation for a three-year program to reduce childhood obesity. Using these grant funds, the Amarillo Department of Public Health and the Texas Tech Metabolic Clinic will provide the MEND (Mind, Exercise, Nutrition, Do It) Program to approximately 700 children 7 to 13 years of age and their families over the three-year grant period.

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.

Douglas Mark West, 307 South Kentucky Street, stated a warning to the Council. Kathy Altman, 2105 South Lipscomb Street, stated her alley was repaired and left a with a big hole and ruts. She stated it took several months to get it repaired. She also inquired if the gravel in the streets was going to be swept. Mr. Atkinson stated after the sealcoating process, the streets are swept numerous times. He further stated that if the streets needed to be reswept they would look into the matter. There were no further 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