

STATE OF TEXAS  
 COUNTIES OF POTTER  
 AND RANDALL  
 CITY OF AMARILLO

On the 16th 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  
 BRIAN EADES  
 LILIA ESCAJEDA  
 JIM SIMMS

MAYOR  
 COUNCILMEMBER NO. 2  
 COUNCILMEMBER NO. 3  
 COUNCILMEMBER NO. 4

Absent was Ellen Robertson Green. Also in attendance were the following administrative officials:

JARRETT ATKINSON  
 VICKI COVEY  
 BRYAN MCWILLIAMS  
 KELLEY SHAW  
 FRANCES HIBBS

CITY MANAGER  
 DEPUTY CITY MANAGER  
 ASSISTANT CITY ATTORNEY  
 PLANNING DIRECTOR  
 CITY SECRETARY

The invocation was given by Gene Shelburne, Anna Street Church of Christ. Mayor Harpole also led the audience in the Pledge of Allegiance.

Proclamations were presented for: "Constitution Week" for the Panhandle Plains SAR Chapter, Llano Estacado Chapter, Esther McCrory Chapter, and Arredondo Chapter and "Realtor Day."

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 9, 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 second and final 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 Escajeda, Eades and Simms; voting NO were none; the motion carried by a 4:0 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. There were no comments. Motion was made by Councilmember Eades, seconded by Councilmember Simms, that the following captioned ordinance be passed on second and final 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 Escajeda, Eades and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

**ITEM 5:** Mayor Harpole stated that pursuant to the terms of Tex. Loc. Gov. Code, Sec. 102.007(c), the City Council is required to take a separate ratification vote on the tax rate when the adopted budget requires more property tax revenue than did the previous year's budget. Councilmember Simms stated that pursuant Tex. Loc. Gov. Code, Section 102.007(c), he moved that the City Council ratify the budget and tax rate, as adopted, recognizing such budget will require more revenue from property taxes than did the budget adopted last year. It was seconded by Councilmember Escajeda. Voting AYE were Mayor Harpole, Councilmembers Eades, Escajeda and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

**ITEM 6:** Mayor Harpole presented an ordinance approving a negotiated settlement agreement on Southwestern Public Service Company's proposed increase in electrical rates. The agreement was negotiated and is recommended by the Alliance of Xcel Municipalities and the special counsel and consultants hired by the Alliance. If approved, the proposed settlement will result in an overall increase of \$37 million rather than the requested \$81.5 million. Impact to the average residential customer will be approximately a 8% increase. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7487**

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: APPROVING A SETTLEMENT AGREEMENT BETWEEN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") AND SOUTHWESTERN PUBLIC SERVICE COMPANY ("SPS" OR "COMPANY") REGARDING THE COMPANY'S STATEMENT OF INTENT TO CHANGE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THE CITY'S RATE CASE EXPENSES REASONABLE; DIRECTING SPS TO REIMBURSE THE CITY ITS REASONABLE RATE CASE EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETING ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR RESOLUTIONS INCONSISTENT

WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS  
ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

Voting AYE were Mayor Harpole, Councilmembers Escajeda, 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 changing the zoning of a 14.41 acre tract of unplatted land in Section 39, Block 9, BS&F Survey, Randall County, from Agricultural District to General Retail District, in the vicinity of Soncy Road and Hillside Road for the next phase of The Greenways at Hillside subdivision. This is recommended for approval by a 7:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7488

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 CLASSIFICATIONS OF SPECIFIED PROPERTY IN THE VICINITY OF SONCY ROAD AND HILLSIDE ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 8: Mayor Harpole presented an ordinance amending the Amarillo Municipal Code, Chapter 4-3, to clarify when a residential building permit must be obtained. Mr. Atkinson explained the ordinance amends an existing piece of the Amarillo Municipal Code concerning when a residential building permit is required to be obtained. Motion was made by Councilmember Simms, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7489

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 4-3, ARTICLE III, SECTION 4-3-31 TO CLARIFY WHEN A RESIDENTIAL BUILDING PERMIT MUST BE OBTAINED; 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 Escajeda, Eades and Simms; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 9: 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. There were no comments. Councilmember Eades stated Councilmember Escajeda is to be commended on bringing this issue to the attention of the Council. Councilmember Escajeda responded that the goal is to assist people who use these services. Mayor Harpole stated the Council has encouraged comments, but only received comments at the first public meeting held. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final 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 REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

**ITEM 10:** Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Councilmember Eades, seconded by Councilmember Simms, and unanimously carried to reappoint to the Amarillo-Potter Events Venue District Board, Tom Bivins and Dean Roper such terms to expire October 1, 2016.

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

**ITEM 11:** 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 Simms to approve the consent agenda with one change to Item 11G, the funding will come from the Amarillo-Potter Events Venue District instead of the Civic Center Capital Improvement Program, motion was seconded by Councilmember Escajeda, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

**A. Approval – Amendment #5 to Pantex Agreement in Principle (AIP) Agreement:**

Granting Agency: State Energy Conservation Office

This item approves the fifth (5<sup>th</sup>) amendment to the Agreement in Principle (AIP) contract with the State Energy Conservation Office. The AIP provides funding to the City's Office of Emergency Management to provide ongoing planning, coordination and response efforts related to the activities at the Pantex Plant. A portion of the funding will provide for hazardous materials training for the Amarillo Fire Department. This amendment carries over \$34,383.42 funding from FY2013 and 2014, and provides new funding of \$123,440.00 for FY2015.

**B. Approval – Agreement for Services with Center City of Amarillo, Inc.:**

This item approves a one (1) year agreement with Center City of Amarillo, Inc. for services associated with the preservation, improvement and revitalization of the Central Business District of Amarillo. Two sources of funding are included in the agreement:

1. The City will provide \$90,000.00 for administrative operations;
2. The City will provide \$70,000.00 as matching funds for a Center City façade grant program (\$160,000 total);
3. The Tax Increment Reinvestment Zone #1 will provide \$150,000.00 for matching grants up to \$50,000.00 for streetscape improvements in the City's right of way.

**C. Approval – Agreement for Services with Downtown Amarillo, Inc.:**

This item approves a one (1) year agreement with Downtown Amarillo, Inc. for services associated with the implementation of the approved Downtown Amarillo Strategic Action Plan, the Tax Increment Reinvestment Zone No. 1 (TIRZ) Project and Financing Plan, and the Civic Center Area Redevelopment Plan for the revitalization of downtown Amarillo. In consideration for these services, the City of Amarillo is to provide \$276,298 in total funding.

**D. Approval – Continuum of Care Grant Agreements:**

Granting Agency: U.S. Department of Housing and Urban Development  
FY 2013 Continuum of Care Program Grants -- \$765,026.00

This item approves the FY 2013 Continuum of Care grant agreements with the Department of Housing and Urban Development (HUD) for the continuation of the following programs:

**Shelter Plus Care -- \$362,520**

Provides rental assistance to homeless persons with disabilities and their families, primarily, those with serious mental illness or chronic problems with alcohol or drugs. Case management is provided by Texas Panhandle Services.

Transitional Housing -- \$311,418

Provides rental assistance to homeless families with children referred from shelters and community agencies. Supportive services and case management is provided by Downtown Women's Center.

Homeless Management Information Systems (HMIS) -- \$91,088

Provides the software licenses and annual service support for the Homeless Management Information System (HMIS). HMIS is a computerized data management and collection software system required for the provision of services.

E. Approval – Agreement for Construction Services:  
Suddenlink Communications -- \$139,900.00

This item approves a fixed price agreement with Suddenlink Communications for the relocation of existing and installation of additional fiber optic and other communication lines between City facilities in downtown Amarillo. This project will provide for the relocation of lines necessary for the downtown projects and also install additional lines necessary to provide redundant communication paths for critical City facilities in the area. Funding for this project is available in the approved downtown utility relocation Capital Improvement Program projects.

F. Approval – Office Supplies Annual Supply Agreement:  
Officewise Furniture and Supply, Inc.  
Region 16 Tex-Buy Contract #014-001 -- \$275,000.00

This item approves a non-exclusive annual contract to provide and deliver office supplies for use by various City Departments. The contract term is for one-year with the option for three (3) one-year renewals. This agreement is estimated at \$275,000 which is a savings of 11.4% over the last contract.

G. Award – Civic Center Carpet Replacement in Heritage Room:  
LVR Carpet of Lubbock – \$196,563.64

This item awards a contract for the replacement of the original carpet in the Heritage Room of the Amarillo Civic Center. This purchase is based on pricing in the TXMAS State Contract #13-72020-21. The carpet was installed as part of the 2003 Civic Center expansion. The contract cost is 2% less than budget estimate. Funding for the purchase is available in the approved Civic Center Capital Improvement Program for carpet replacement.

H. Approval – Aviation Clear Zone Easement:  
Aviation Clear Zone Easement being 3,570 feet MSL above the plat of Freeman Subdivision Unit No. 4, in Section 74, Block 2, AB&M Survey, Potter County, from Robert Keys.

I. Dedications and Acceptances:  
1) A 20' public utility easement and a 50' temporary construction easement out of Section 46, Block 9, BS&F Survey, Potter County, Texas  
2) A 10' public utility easement and a 50' temporary construction easement out of Section 62, Block 9, BS&F Survey, Randall County, Texas.

ITEM 12: Mayor Harpole recognized Michelle Bonner and Laura Hastings for the Award for Comprehensive Annual Financial Report (CAFR) the City received. Mayor Harpole also presented the National Association of Clean Water Agencies – Wastewater Treatment Plant Awards and recognized Tim Loan, Floyd Hartman, Jim Stover and their staff.

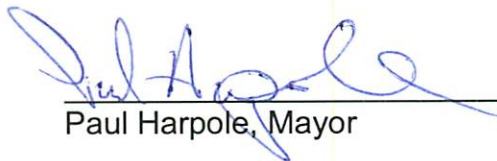
Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda.

Jack Jewett, 3954 Business Park Drive, stated he received unannounced inspections last week on his vehicles. He asked the Council to consider an increase on the taxi meter fees and to consider the condition of the vehicles, not necessarily the year. Robin Roark, 4005 Northeast 26<sup>th</sup> Avenue, asked that the Council consider working with the owners for any upcoming changes to the taxi ordinance. Mr. Atkinson stated he recently spoke to Mr. Jewett, and all taxi company inspections go through the police department. He further stated staff is refining bullet points and will meet with the owners before presenting it to the Council for action. 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