

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 23rd 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 Marcus Norris, City Attorney. Mayor Harpole also led the audience in the Pledge of Allegiance.

A proclamation was presented for "Above the Influence."

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 16, 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 and clarifying the allowable uses of the existing allocation of fifty one-hundredths (0.50%) of the HOT allocated to the CVB for promotion of events held in Amarillo. It is currently limited to the Amarillo Civic Center Complex, but the amendment would also include potential support for events at government-owned venues in Potter or Randall counties, such as Palo Duro Canyon or West Texas A&M University, which also bring tourists, shoppers, etc. to Amarillo. The ordinance provides that the Civic Center Complex retains first priority. Mr. Atkinson explained this ordinance did not increase the taxes, but expanded its eligible uses. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7490

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-2, ARTICLE III, SECTION 14-2-52(b)(4) TO REALLOCATE A FRACTIONAL USE DISTRIBUTION OF THE HOTEL OCCUPANCY TAX; 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, Escajeda, Eades and Simms; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance extending the existing natural gas utility franchise between the City and Atmos Energy Corporation for a period of five years under the present terms and conditions. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7491

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: EXTENDING ORDINANCE 7003, AS AMENDED, THE EXISTING GAS FRANCHISE BETWEEN ATMOS ENERGY CORPORATION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO FURNISH, TRANSPORT AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF AMARILLO, TEXAS, FOR THE TRANSPORTING, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING SAVINGS 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 4: Mayor Harpole presented an ordinance amending Chapter 8-2, of the Amarillo Municipal Code to require microchip implant on impounded animals before redemption or adoption. This ordinance is recommended for approved by the Animal Management & Welfare Board. Motion was made by Councilmember Green, seconded by Councilmember Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7492

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLE III, SECTIONS 8-2-54 AND 8-2-55 TO REQUIRE MICROCHIP IMPLANT ON IMPOUNDED ANIMALS BEFORE REDEMPTION OR ADOPTION; CHAPTER 8-2, ARTICLE I, SECTION 8-2-4 PROVIDING FEES FOR MICROCHIP IMPLANTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING 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 5: 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 Simms, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on second and final 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 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 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. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final 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 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 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 Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final 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 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 conducting a public hearing on and considers ordering the removal of two substandard structures located at 1431 Northwest 18th Avenue. Mayor Harpole stated the following captioned resolution be removed:

RESOLUTION 09-23-14

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.

ITEM 9: Mayor Harpole presented a resolution setting the date and time for a public hearing on October 14, 2014 at 3:00 p.m. to determine if the property at 2606 Olive Street constitutes a public nuisances and thereby declared as a dangerous structure. 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 Green, seconded by Councilmember Simms, that the following captioned resolution be passed:

RESOLUTION 09-23-14-1

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, Eades, Escajeda, Simms; the motion carried by a 5:0 vote of the Council.

ITEM 10: Mayor Harpole advised that appointments are needed for a certain board and commission. Motion was made by Councilmember Escajeda, seconded by Councilmember Green, and unanimously carried to reappoint to the Amarillo Local Government Corporation, Brian Eades, Glen Parkey, Jim Simms, and Les Simpson, such terms to expire September 30, 2017.

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 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 Eades to approve the consent agenda, motion was 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. Acceptance – Emergency Management Performance Grant Award:

Grant Amount: \$90,462.15

Grantor: Texas Department of Public Safety

This item accepts the notice of grant award extending the current Emergency Management Performance Grant (EMPG) through March 2015. Funds from this grant program are used to support the on-going program of preparedness services provided by the Office of Emergency Management to the residents of the City of Amarillo and both Potter and Randall Counties.

B. Acceptance – Homeland Security Grant Program Award:

Grant Amount: \$132,079

Grantor: Texas Department of Public Safety

This item accepts the Sub-Recipient Award from the Texas Homeland Security State Administrative Agency for September 1, 2014 through January 31, 2016. Two projects are funded under this award:
\$67,079 -- Consulting services for the next generation radio system
\$65,000 -- Amarillo Regional Bomb Squad equipment enhancements

C. Approval – Redi-Mix Concrete Annual Supply Agreement:

Award to low responsive bidder: Thomas Redi-Mix Company, Inc. --
\$207,453.75

This item awards the annual contract to provide redi-mix concrete to various departments, which include Streets, Traffic Field, Park Field, Water Distribution and Drainage Utility. The contract is for approximately 2,080 cubic yards of various types of concrete and the associated expansion joint material. Material is ordered as-needed and delivered to appropriate department for maintenance, repair and construction projects. The bid price is a 4.5% increase from last year's contract. Funding is available in the approved operating budgets of the various departments.

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