

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 28<sup>th</sup> day of October 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

Absent was Jim Simms. 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 Davlyn Duesterhaus, Baptist St. Anthony's Health Systems. Mayor Harpole also 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 October 21, 2014. Motion was made by Councilmember Escajeda; motion was seconded by Councilmember Eades, and unanimously carried, to approve the minutes.

**ITEM 2:** Mayor Harpole presented an ordinance to consider a Developer Participation Agreement with PEGA Development LLC to oversize the Hillside Road Storm Sewer related to the anticipated future development between Nancy Ellen Drive and Helium Road. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7496**

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPER PARTICIPATION AGREEMENT WITH PEGA DEVELOPMENT, LLC, A TEXAS CORPORATION, FOR OVERSIZING OF THE HILLSIDE ROAD STORM SEWER BETWEEN NANCY ELLEN DRIVE AND HELIUM ROAD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**ITEM 3:** Mayor Harpole presented an ordinance changing the zoning of Lot 1, Block 11, Estacado West Unit No. 1 in Section 30, Block 9, BS&F Survey, Randall County, in the vicinity of Hurst Road and Columbia Lane, from Residential District 2 to Planned Development District for single-family attached housing units. Motion was made by Councilmember Green, seconded by Councilmember Escajeda, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7494**

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 HURST ROAD AND COLUMBIA LANE, RANDALL

COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**ITEM 4:** Mayor Harpole presented an ordinance vacating the remaining portion of Harrison Street between Southwest 1<sup>st</sup> Avenue and Southwest 2<sup>nd</sup> Avenue, and the alley segments within Block 8, all in Glidden and Sanborn Addition, Section 169, Block 2, AB&M Survey, Potter County, in the vicinity of Southwest 2<sup>nd</sup> Avenue and Harrison Street. Motion was made by Councilmember Escajeda, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7495**

AN ORDINANCE OF THE CITY OF AMARILLO, DETERMINING LACK OF PUBLIC NECESSITY FOR STREET AND ALLEY SEGMENTS IN THE VICINITY OF SOUTHWEST SECOND AVENUE AND HARRISON STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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

**ITEM 5:** Mayor Harpole presented a resolution conducting a public hearing and establishes a public improvement district to be located in the subdivision known as "Town Square" in the vicinity of Hillside Road, Helium Road, and Southwest 45 Avenue. This petition was submitted by Perry Williams d/b/a P Dub Land Holdings Ltd. And Seth Williams d/b/a PEGA Development LLC for residential and commercial/retail uses. This Public Improvement District is created to fund the construction and maintenance of certain right-of-way improvements such as landscaping, green areas and entry features throughout the subdivision. The cost of these improvements will be borne by the property owners within the subdivision as allocated equitably among all platted lots. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned resolution be passed:

**RESOLUTION 10-28-14-1**

A RESOLUTION CONDUCTING A PUBLIC HEARING ON A PETITION REQUESTING ESTABLISHMENT OF A PUBLIC IMPROVEMENT DISTRICT TO BE KNOWN AS THE "TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT," IN THE VICINITY OF HILLSIDE ROAD, HELIUM ROAD, AND S.W. 45<sup>TH</sup> AVENUE; CONCERNING ADVISABILITY OF CREATING SUCH DISTRICT; NATURE OF IMPROVEMENTS; ESTIMATED COST; METHOD AND APPORTIONING OF ASSESSMENTS; BOUNDARIES OF SUCH DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

**ITEM 6:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 2606 Olive. Scott McDonald, Building Official, was sworn in. This item was previously tabled on October 14, 2014. Mr. McDonald gave an update on this property. He stated the manufactured home frame assembly has been removed but not all the debris. Motion was made by Councilmember Green to select option v, seconded by Councilmember Escajeda, and that the following captioned resolution be passed:

**RESOLUTION 10-28-14-2**

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 and Eades; voting NO were none; the motion carried by a 4:0 vote of the Council.

**ITEM 7:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 2722 South Highland Street. Scott McDonald, Building Official, was sworn in. This item was previously tabled on October 21, 2014. Mr. McDonald gave an update on this property. He stated the conditions of the property were the same and that Potter-Randall Appraisal District had removed the tax exemption status and the taxes were still in arrears. Motion was made by Councilmember Escajeda to select options ii and v, seconded by Councilmember Eades, and that the following captioned resolution be passed:

**RESOLUTION 10-28-14-3**

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 and Eades; voting NO were none; the motion carried by a 4:0 vote of the Council.

**ITEM 8:** Mayor Harpole presented a resolution setting the date and time for a public hearing on November 25, 2014 at 3:00 p.m. to determine if the properties at 301 North Jefferson Street and 745 East Bonita Avenue 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 Eades, seconded by Councilmember Green, that the following captioned resolution be passed:

**RESOLUTION 10-28-14-4**

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, and Escajeda; the motion carried by a 4:0 vote of the Council.

**ITEM 9:** 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 Green to approve the consent agenda, 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 – City of Amarillo Investment Policy:**

This item is the annual approval of the revised Investment Policy for the City of Amarillo as recommended by the City Investment Committee. State law requires the City to have a written investment policy and for the City Council to review and approve the policy on an annual basis. The only revisions are minor changes to keep the Policy consistent with the Texas Public Funds Investment Act.

**B. Dedications and Acceptances:**

- 1) A 15' sanitary sewer easement in Section 153, Block 2, AB&M Survey, Randall County, Texas.
- 2) A 20' sanitary sewer easement and a 50' temporary construction easement in Section 48, Block 9, BS&F Survey, Potter County, Texas.
- 3) A 1,200 square feet public utility easement in Section 173, Block 2, AB&M Survey, Randall County, Texas.

**ITEM 10: PRESENTATION – RECOGNITION OF THE 2014 SUMMER RECREATION PROGRAM COMMUNITY PARTNERS:**


Rod Tweet, Parks Director introduced Pam Cognasi, Recreation Supervisor, Wendy Baca, Recreation Specialist, Rachel Cunningham, Marketing Coordinator and Nik Westmoreland, Recreation Specialist. Ms. Baca recognized the successes of the Parks & Recreation summer programs and thanked the community sponsors. Community sponsors included: Amarillo National Bank, Bank of America, Border State, Cargill, Education Credit Union, KAMR, Leadership Amarillo & Canyon, Richardson Milling Co., Snack Pak 4 Kids, Wells Fargo, and Xcel Energy.

Councilmember Green stated in the summer of 2013 there were two weeks when the kids would not be getting a summer lunch and that was rectified. She further stated that kids matter and this community cares about them. Councilmember Escajeda stated she is always amazed when the corporation world steps up to the plate with their generosity and big hearts. Mayor Harpole thanked all the City employees for their dedication.

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:

  
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Frances Hibbs, City Secretary

  
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Paul Harpole, Mayor