

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 25<sup>th</sup> day of November 2014, the Amarillo City Council met at 12:00 p.m. in closed session and 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 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 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 November 18, 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 amending Chapter 4-10 of the Amarillo Municipal Code of Ordinances regarding the Downtown Amarillo Urban Design Standards. The proposed amendments address triggers for walkway improvements, clarification regarding review of drive-through lanes, clarification regarding the relationship between a building and its setback and clarification of screening and monument sign requirements. These amendments are recommended for approval by the Downtown Amarillo Urban Design Review Board, the Comprehensive Plan Advisory Committee, and the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7498

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AMENDING CHAPTER 4-10, ARTICLE XXI, TO AMEND SECTION 4-10-1002 (APPENDIX); 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, Eades and Escajeda; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of solid waste accumulation located at 745 East Bonita Avenue. Motion was made by Councilmember Green to select Option v, seconded by Councilmember Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 11-25-14-1

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.**

Scott McDonald, Building Official was sworn in and stated the property at 745 East Bonita Avenue is occupied and has an significant amount of solid waste accumulation on the premises including, but not limited to, tires, trash, overgrown weeds, appliances and salvage items. There have been no applications for permits to abate the solid waste accumulations on the property. The property was posted with a condemnation placard on October 30, 2014. The property is a nuisance to the community and creates an unsafe environment. Current taxes due on the property are \$484.70; there are no delinquent taxes due. There are no liens due to the City. Councilmember Green asked for clarification, if they were considering only the junk and debris on the property. Mr. McDonald stated it was only the unlawful accumulation of debris.

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

**ITEM 4:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 301 North Jefferson Street. Motion was made by Councilmember Escajeda to select Options ii and v, seconded by Councilmember Eades, that the following captioned resolution be passed:

**RESOLUTION NO. 11-25-14-2**

**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.**

Scott McDonald, Building Official was sworn in and stated the property at 301 North Jefferson Street has been abandon since April 2014. The property sustained a severe fire on February 5, 2014. There has been no recent applications for permits to abate the property. The property was posted with a condemnation placard on October 30, 2014. The property is a nuisance to the community and creates an unsafe environment. Current taxes due on the property are \$405.60; there are \$1,927.65 in delinquent taxes due for years 2011-2013. There has been no water service since April 2014. The City has contractor liens totaling \$1,176.99 on the property.

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

**ITEM 5:** Mayor Harpole presented a resolution setting the date and time for public hearings on December 22, 2014 at 3:00 p.m. to determine if the properties at 3401 Southeast 11th Avenue (three structures) and 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 Eades, seconded by Councilmember Green, that the following captioned resolution be passed:

**RESOLUTION NO. 11-25-14-3**

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

**ITEM 6:** Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Casie Stroughton, Public Health Director, stated the MEND program is partnered with various groups, such as the Harrington Cancer Foundation, United Way, Kids Inc., Baptist, Community Services, Texas Tech and Maverick, etc. The program would help 913 children ages 6-13 years old who are overweight or obese. 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. Purchase – Police In-Car Video Recording System Upgrade:  
Award on HGAC Cooperative Purchasing Contract: L-3 Mobile-Vision, Inc., -- \$164,416.70

This item awards a contract to purchase upgraded in-car video systems for 33 Amarillo Police Department vehicles. These systems provide video and audio recording capabilities in and around the patrol cars for the protection of the public and the Department. The requested items are being sourced on the HGAC Cooperative Purchasing Contract to maintain compatibility with the existing systems. Funding for this purchase is available in the approved Police Department Capital Improvement Program budget.

- B. Award – Medical Laboratory Testing:  
Award to low responsive bidder: Clinical Pathology Laboratories -- \$71,706.25

This item awards a contract to provide medical laboratory testing services to the City of Amarillo. The contract covers collection, processing and analysis of specimens and results. These services are used by the City Health Plan, CityCare Clinic and for pre-employment non-regulated drug and alcohol screening and related items. Funding for this contract is in the approved Department operating budgets. The proposed contract is for one-year with up to four, one-year renewals at mutual consent.

- C. Award – Sanitary Sewer Main Improvements:  
Award to the low responsive bidder: Amarillo Utilities Contactors, Inc. -- \$939,314.00

This item awards a construction contract for the rehabilitation of sanitary sewer mains in the Chaparral Acres, Denver Heights and other areas. The project uses the pipe bursting method to minimize open cuts and ditches. The sanitary sewer mains in these areas have deteriorated over time and have experienced numerous backups in the wastewater collection system. The contract is 7.8% less than the estimate. Funding for this award is available in the FY 2014/2015 Utilities Division's Capital Improvement budget.

- D. Approval – Mind, Nutrition, Exercise Do It! (MEND) Program Agreement:  
Parties – Healthy Weight Partnership, Inc. and the City of Amarillo  
Amount: \$609,775.00

This item is the approval of a three year agreement between the Healthy Weight Partnership, Inc. and the City of Amarillo Department of Public Health to provide the Mind, Nutrition, Exercise, Do It! (MEND) program.

This program is targeted to children over three years of age and is to assist in the prevention of child obesity. The program is targeted to serve 915 children over a three year period. Funding for this agreement is provided through the DSRIP program and the Harrington Cancer Center.

- E. Approval -- Engineering Services – River Road and Hollywood Road Wastewater Treatment Plants Permit Renewal:  
Award to Alan Plummer and Associates  
Total Contract Price - \$57,800.00

This item approves an agreement for professional services necessary to renew the Texas Pollutant Discharge Elimination System (TPDES) permits at each of the two wastewater treatment plants. These permits regulate the operation and discharge of treated effluent from the plants. The permit applications are due in the spring of 2015. The recommended firm has successfully provided these services to the City for prior renewals. Funding for this award is from the approved FY 2014/2015 Wastewater Treatment Capital Improvement Program budget.



F. Approval – Lease Amendment #1 – City of Amarillo and Bob L. Goree Properties Group, LP.:

Parties: City of Amarillo and Bob L. Goree Properties Group, LP  
Property: Santa Fe Depot, 3<sup>rd</sup> Avenue and Grant Street

This item amends the existing lease agreement for the property commonly known as the Santa Fe Depot. Under the terms of this agreement, the City will assume possession of the entirety of the property save the northern-most building and the associated paved parking area and gate access. The amendment further provides an option for the tenant to hold over in the northern-most building and associated parking area through September, 2018 with market rate rents being assessed beginning in September, 2016.

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.

Allen Finegold, 2601 North Grand Street, requested the Council to hold meeting to discuss the infrastructure of the water distribution and sewer system and the cost of repairing or replacing older sewer systems and water mains versus new mains or sewer systems. Mayor Harpole stated there was a balance for growth and replacements in older areas. Mr. Atkinson stated recent budget decisions allow for older areas under sized to be replaced using the pipebursting method to minimize interruptions. Mayor Harpole stated the Hillside Addition recent break appears to be a manufacture defect. Mr. Finegold also suggested using steel pipe. Mr. Atkinson replied they use the type of pipe specified by the depth and how the pipe will be used.


Craig Gualtiere, 3509 South Lamar Street, stated the Amarillo Economic Development Corporation (AEDC) was not complying with the Open Meetings Act concerning their executive sessions. He stated the AEDC does not identify the items they will be discussing during their executive session, and then they take action on those items discussed during their meeting. He further stated that taxpayers have a right to voice an opinion on the items AEDC considers. He further suggested removing the AEDC board members who do not wish to comply with the Open Meetings Act. Mr. Norris replied that he had spoken Dave Kemp, Potter County Attorney, and they agreed that AEDC is meeting the minimum standards of law.


Gina Brecheen, stated she has only seen cosmetic changes at the Animal Management & Welfare (AM&W). She gave examples of her recent visit which included snow and ice in the kennels, and an attendant spraying chemicals without removing the animals. The animals are not being vaccinated on intake and are exposed to parvo and distemper.

Mr. McDonald replied the staff at the AM&W cares about animals. He further stated they make errors and mistakes. The employee who was spraying chemicals was being dealt with as a personnel matter. He stated they continue to refine the processes and continually change the processes to eliminate errors. He further stated concerns on vaccination on intake, which does not allow the AM&W to practice veterinarian medicine and that animals cannot be treated without the owner's consent. He stated additional changes needed to be made to the current ordinance. He confirmed that Mr. Richard Havens would begin his position in January as Animal Management & Welfare Director. He further stated parvo and distemper are problems community-wide and they will continue to refine and continually change the processes to eliminate errors. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

  
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Frances Hibbs, City Secretary

  
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Paul Harpole, Mayor