STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 21st day of February 2017, the Amarillo City Council met at 4:00 p.m. for a work session and executive session and then at 5:00 p.m. for the regular session in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

ELISHA DEMERSON	COUNCILMEMBER NO. 1
LISA BLAKE	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	MAYOR PRO TEM

Absent was Mayor Paul Harpole. Also in attendance were the following administrative officials:

JARED H. MILLER	CITY MANAGER
BOB COWELL	DEPUTY CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Sean Vokes, Hillside Christian Church. Mayor Pro Tem Nair led the audience in the Pledge of Allegiance.

Public Comment:
Mayor Pro Tem Nair established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

Edith DiTommaso, 1613 Bowie Street, #B, proposed that the Amarillo Police Officers not participate in immigration arrests. Lewis Arthur, 1000 Southwest 10th Avenue (parking lot), stated he was on a nationwide search and rescue for Homeless Veterans. He stated he had an unlimited amount of resources and operated under the Good Samaritan law. James Schenck, 6216 Gainsborough Street, stated the early public comment period limits citizen's attendance and the need to be sensitive and diplomatic. He further inquired about the economic development feasibility study. Mr. Cowell stated the strategic plan's first briefing will occur on March 7. The timeline states a public meeting at the end of March, and drafts are due late April or first of May. Kit Rudd, 6850 Grande Street, stated he hoped the upcoming election was a clean campaign and run in a positive manner. There were no further comments.

ITEM 1: Mayor Pro Tem Nair presented the minutes for February 14, 2017. Motion was made by Councilmember Demerson to approve the minutes, seconded by Councilmember Blake, and unanimously carried to approve the minutes.

ITEM 2: Mayor Pro Tem Nair opened the public hearing. Sara Black, 3211 South Coulter Street, stated she and her husband, who was a registered pharmacist, owned the Class A Pharmacy, which has evolved into a health food store. Shaun May, Director of Environmental Health, stated notice was given in January 2016 of the required three-compartment sink and other equipment that did not meet the commercial grade requirements. Mr. Miller stated Mr. May has given Ms. Black adequate time to make the changes and the time expires today. The restaurant remains in violation of the City ordinance. Mr. May stated on the original approval, there was a three-compartment sink. On the annual permits submitted a box was checked that stated there were no changes. The current sinks are not a commercial grade nor are they deep enough. Councilmember Demerson inquired if there were notations made by public health staff concerning the sink compartments. Mr. May replied he could find no official record.

Ms. Black stated they use dishwashing liquid and Clorox and are very limited as to what they wash. Mr. May stressed the importance of a three-compartment sink was to protect public health. Mr. McKamie stated this was an unusual appeal proceeding. It did not solicit public comment and he recommend Council not accept public comment. Chapter 8 states a person my give notice to the City Secretary, and Council will hear the matter on its next available agenda. Council will decide to set aside or sustain the decision. Mayor Pro Tem Nair stated this was not an issue of sanitation but of state law. Mr. McKamie stated the establishment may not operate during an appeal. Ms. Black stated she would give up her larger pots if they allow her to use the two-compartment sink. Mr. May replied it was a fundamental issue to food safety. Motion was made by Councilmember Demerson to sustain staff's recommendation, seconded by Councilmember Blake.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake and Demerson; voting NO was Councilmember Burkett; the motion carried by a 3:1 vote of the Council.

ITEM 3: Mr. Miller stated this item was to receive and accept the City of Amarillo's Comprehensive Annual Financial Report for the year ending September 30, 2016. Michelle Bonner, Assistant City Manager, thanked Laura Storrs and her staff and introduced Janie Arnold, Connor, McMillon, Mitchell and Shennum, who performed the City's audit. Ms. Bonner addressed the Comprehensive Annual Financial Report. She stated the City has received for 35 years the Certificate Achievement for Excellence in Financial Reporting. She stated the opinion was clean. The single audit contained two opinions for internal controls which there were no findings of noncompliant, and a report on major programs, federal and state programs. The audit is unmodified and a clean report. Motion was made by Councilmember Burkett to accept the audit, seconded by Councilmember Demerson.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Pro Tem Nair presented the second and final reading of an ordinance amending the Ordinance defining the City's participation in the Texas Enterprise Zone Program, stating possible incentives, nominating BSA Hospital LLC as a qualified business and an enterprise project and designating a liaison for overseeing Enterprise Projects. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7655

AN ORDINANCE OF THE CITY OF AMARILLO AUTHORIZING THE CITY OF AMARILLO TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE, STATING POSSIBLE INCENTIVES; NOMINATING BSA HOSPITAL, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND AN ENTERPRISE PROJECT UNDER THE ACT; AND DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Pro Tem Nair presented a resolution considering approval of a resolution authorizing the Assistant City Manager for Finance to apply for FY17 SHSP grant funds to implement projects entitled: Amarillo Regional Bomb Squad Canine Project, Amarillo Regional Bomb Squad Handheld Explosives Analyzer Project, and the Amarillo Video Server Project on behalf of the City. Sgt. James, Supervisor of the Police Department Bomb Squad, stated the current bomb squad canine retires in April. Motion was made that the following captioned resolution be passed by Councilmember Burkett, seconded by Councilmember Demerson:

RESOLUTION NO. 02-21-17-1

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AUTHORIZING THE SUBMISSION OF AN FY17 GRANT

APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION (HSGD) AND DESIGNATING THE ASSISTANT CITY MANAGER FOR FINANCE TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO CITY'S PARTICIPATION IN THE FY17 STATE HOMELAND SECURITY PROGRAM GRANT PROGRAM.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 6: Mayor Pro Tem Nair presented a resolution considering approval of a resolution authorizing the Assistant City Manager for Finance to apply for FY17 SHSP grant funds to implement projects entitled: Amarillo Regional Toxic Vapor Analyzer Project, Amarillo Regional Mobile Breathing Air Supply Unit Project, and Amarillo Regional Structural Collapse Equipment Project on behalf of the City. Motion was made that the following captioned resolution be passed by Councilmember Demerson, seconded by Councilmember Blake.

RESOLUTION NO. 02-21-17-2

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AUTHORIZING THE SUBMISSION OF AN FY17 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION (HSGD) AND DESIGNATING THE ASSISTANT CITY MANAGER FOR FINANCE TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO CITY'S PARTICIPATION IN THE FY17 STATE HOMELAND SECURITY PROGRAM GRANT PROGRAM.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 7: Mayor Pro Tem Nair presented a resolution setting the date and time for a public hearing on March 14, 2017, at 5:00 p.m. to determine if the properties at 858 North Jackson Street and 1600 South Palo Duro Street constitute public nuisances and thereby declared as dangerous structures and order the removal of such. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing. Councilmember Burkett inquired about progress on the Amarillo Inn. Mr. Miller stated the larger destruction costs have made it prohibitive. Motion was made that the following captioned resolution be passed by Councilmember Blake, seconded by Councilmember Burkett:

RESOLUTION NO. 02-21-17-3

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 Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 8: Mayor Pro Tem Nair advised that appointments are needed for certain boards and commissions. Motion was made by Councilmember Burkett to appoint Joshua Raef to replace Tom Bivins and appoint Paul Christy to replace Dean Roper both on the Amarillo Potter-Events Venue District, seconded by Councilmember Blake, such terms to expire October 1, 2019.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 9: Mayor Pro Tem Nair 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 Burkett to approval of the consent agenda, seconded by Councilmember Demerson.

A. Award – Kewaunee Laboratory Cabinets for Laboratory Administration -- $127,837.34:
This item is for the purchase of laboratory cabinets to complete the Environmental Laboratory expansion project.

Voting AYE were Mayor Pro Tem Nair, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

Mayor Pro Tem Nair advised that the meeting was adjourned.

ATTEST:

Frances Hibbs

Frances Hibbs, City Secretary

Mark Nair, Mayor Pro Tem