

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 12th day of September 2017, the Amarillo City Council met at 4:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

Absent were none. Also in attendance were the following administrative officials:

JARED H. MILLER
MICHELLE BONNER
MICK MCKAMIE
ANDREW FREEMAN
FRANCES HIBBS

CITY MANAGER
ASSISTANT CITY MANAGER
CITY ATTORNEY
ECONOMIC DEVELOPMENT MGR.
CITY SECRETARY

The invocation was given by Burt Palmer, Polk Street United Methodist Church. Mayor Nelson led the Pledge of Allegiance.

A proclamation was presented for "Citizenship Day."

Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

PUBLIC COMMENT:

James Schenck, 6216 Gainsborough Street, stated he appreciated the city beginning the promotion of golf. He asked the City to wait and see if the number of rounds of golf picks up. He stated he was disappointed no one considered decreasing the tax rate instead of absorbing the windfall that came from property evaluations. Rusty Tomlinson, 5700 Canyon Drive, spoke on the confederate statute and slavery. Jim White, 4445 Summit Circle, stated the City of Amarillo has always been known to have great golf. He stated the golf courses should not be compared to country clubs. He suggested implementing a 2-3 year program. Allen Finegold, 2601 North Grand Street, inquired if the LGC or the City would issue the bonds or general obligations for the MPEV. John Ingerson, 48 St. Andrews, thanked the Council for listening and discussing the golf fees. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approval of the consent agenda, seconded by Councilmember Hays.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on September 5, 2017.

B. **ORDINANCE NO. 7679:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2017 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Heritage Hills Public Improvement District (PID). The Heritage Hills PID is generally located at Hollywood and Soncy Roads in Amarillo.

C. **ORDINANCE NO. 7680:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018

budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Town Square Public Improvement District (PID). The Town Square PID is generally located at the northwest corner of Soncy and Hillside Roads in Amarillo.

D. **ORDINANCE NO. 7681:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Point West Public Improvement District (PID). The Point West PID is generally located at the northwest corner Amarillo Boulevard West and Research Street.

E. **ORDINANCE NO. 7682:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Vineyards Public Improvement District (PID). The Vineyards PID is generally located at the northwest corner of East Hastings Avenue and Broadway Drive.

F. **ORDINANCE NO. 7683:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Redstone Public Improvement District (PID). The Redstone PID is generally located at the southwest corner of Coulter Street and Hollywood Road in Amarillo.

G. **ORDINANCE NO. 7684:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Quail Creek Public Improvement District (PID). The Quail Creek PID is generally located at the intersection of Clear Meadow Circle and Plum Creek Drive.

H. **ORDINANCE NO. 7685:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Tutbury Public Improvement District (PID). The Tutbury PID is generally located at the intersection of Tutbury Court and Van Winkle Drive.

I. **ORDINANCE NO. 7686:**

(Contact: Kelley Shaw, Housing Administrator)

This is the second and final of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Colonies Public Improvement District (PID). The Colonies PID is generally located at the northeast corner of Hillside and Soncy Roads.

J. **ORDINANCE NO. 7690:**

(Contact: Cody Balzen, Planner I)

This is the second and final rezoning of a 10.37 acre tract of land in Section 1 (Contact: Cody Balzen, Planner I) 83, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3). (Vicinity: West Farmers Avenue and Nasa Avenue.)

K. **ORDINANCE NO. 7691:**

(Contact: Cody Balzen, Planner I)

This is the second and final rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural

District (A) to Residential District 3 (R-3). (Vicinity: Crestline Drive and Cagle Drive.)

L. ORDINANCE NO. 7692:

(Contact: Cody Balzen, Planner I)

This is the second and final rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (Vicinity: Arlo Drive and Cagle Drive.)

M. AWARD – RADIO READ WATER METERS:

(Contact: Trent Davis, Purchasing Agent)

Awarded to HD Supply Waterworks -- \$64,234.79

This award is to approve a contract for the purchase of Radio Water Meters.

N. APPROVAL -- CHANGE ORDER NO. 1 FOR 2-INCH WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS – PHASE I:

(Contact: Floyd Hartman, CIP Director)

Original Contract: \$ 1,621,258.00

Current Change Order: \$ 278,439.00

Revised Contract Total: \$ 1,899,697.00

This item is to approve Change Order No. 1 for the relocation of water main and storm water force main in Southeast 8th Avenue from Buchanan Street to Johnson Street.

O. APPOINTMENTS – BOARDS AND COMMISSIONS:

An appointment is needed for the following board:

Texas Panhandle Centers (2-year terms)

10/14/2003

Patty Ladd

09/01/2017

Reappointment requested

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

REGULAR AGENDA

ITEM 2: Dr. Wendler, President of West Texas A&M University presented an update on the University's commitment to be a good servant to the Texas Panhandle. He stated he appreciated the working relationship between the University and the City of Amarillo. The proximity of Amarillo is important. He further stated next year the University will be engaged in programs not offered in Canyon and because of the commitment from so many people.

ITEM 3: Mayor Nelson presented an ordinance adopting the City of Amarillo budget for the 2017/2018 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. Councilmember Sauer motioned to adopt Ordinance No. 7688, adopting the budget for the fiscal year October 1, 2017, through September 30, 2018, for the City of Amarillo. It was seconded by Councilmember Smith and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7688

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; AMENDING VARIOUS TERMS AND PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO ADD, MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES; CHAPTER 4-6, ARTICLE 1, AND CHAPTER 4-1, ARTICLE I, CONCERNING VARIOUS FEES FOR PLAN REVIEW, INSPECTIONS AND PERMITS; CHAPTER 8-5, ARTICLE IV, CONCERNING CERTAIN ENVIRONMENTAL HEALTH FEES; CHAPTER 10-1 CONCERNING

FIRE PREVENTION FEES; CHAPTERS 12-1 AND 12-4 CONCERNING ZOO FEES AND GOLF RATES; CHAPTERS 18-2, 18-3, AND 18-4, CONCERNING VARIOUS WATER AND SEWER RATES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Councilmember Powell motion to include the family passes and spouse rate in the golf fees and authorize the City Manager to establish those fees, motion was seconded Councilmember Hays.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Nelson 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 2017 tax year. This ordinance establishes an ad valorem tax rate of \$0.32698 per \$100.00 property valuation for City maintenance and operations expenses and \$0.03666 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.36364 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 8.33 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$0.00. Councilmember Smith moved that the property tax rate be increased by the adoption of a tax rate, being \$0.36364, which is effectively a 8.33% increase in the tax rate. The motion was seconded by Councilmember Sauer and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7689
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 2017;
ESTABLISHING AN EFFECTIVE DATE; REPEALING
CONFLICTING ORDINANCES.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 5: Motion was made by Councilmember Hays to ratify the City of Amarillo Tax Rate and Budget, pursuant to Texas Local Government Code, section 102.007(c), moved that we 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. seconded by Councilmember Powell.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 6: Mayor Nelson presented the second and final reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). The Greenways PID is generally located at the southwest corner of Hillside Road and Coulter Street. This ordinance is recommended for approval by a unanimous vote of the Greenways Public Improvement District Advisory Board. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned ordinance be passed:

ORDINANCE NO. 7687
AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN
THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS
AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL
GOVERNMENT CODE FOR FISCAL YEAR 2017-2018; ADOPTING A

BUDGET FOR FISCAL YEAR 2017-2018 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Mayor Nelson noted that two letters were received.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, and Smith; voting NO were none; Councilmember Sauer abstained; the motion carried by a 4:0:1 vote of the Council.

ITEM 7: Mayor Nelson presented the first reading first reading of an ordinance amending Amarillo Municipal Code:

- Chapter 2-6, Article VIII, providing for the renaming of the Construction Advisory and Appeals Board to the Construction Advisory and Appeals Commission; and providing for the creation of the Condemnation Appeals Commission.
- Chapter 4-3, Article I, to revise procedures and regulations concerning substandard dangerous structures; providing for severability; providing for repealer; providing for continuation of prior law; providing penalty; and providing for publication and effective date.

This item was presented by Randy Schuster, Building Official. Motion was made by Councilmember Smith, seconded by Councilmember Hays, that the following captioned resolution be passed:

ORDINANCE NO. 7693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 2-6, ARTICLE VIII; PROVIDING FOR THE RENAMING OF THE CONSTRUCTION ADVISORY AND APPEALS BOARD TO THE CONSTRUCTION ADVISORY AND APPEALS COMMISSION; PROVIDING FOR THE CREATION OF THE CONDEMNATION APPEALS COMMISSION; AMENDING CHAPTER 4-3, ARTICLE I, TO REVISE PROCEDURES AND REGULATIONS CONCERNING SUBSTANDARD DANGEROUS STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 8: Mayor Nelson presented the first reading of an ordinance approving the Municipal Court Judges. This item was presented by Mick McKamie, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned resolution be passed:

ORDINANCE NO. 7694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPOINTING MUNICIPAL COURT JUDGES FOR FISCAL YEARS 2017-2018 AND 2018-2019; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 9: Mayor Nelson presented a resolution approves the 2017/2018 budget and associated program of services for the Amarillo Hospital District. This budget is recommended for approval by the Amarillo Hospital District Board of Managers. This item was presented by Michelle Bonner, Assistant City Manager. Smith Ellis, 5 Champion Circle, AHD Chairman, stated they worked diligently to extend the contract. Motion was made by Councilmember Sauer, seconded by Councilmember Powell, that the following captioned resolution be passed:

RESOLUTION NO. 09-12-17-1

A RESOLUTION OF THE CITY OF AMARILLO CITY COUNCIL:
ADOPTING THE BUDGET OF THE AMARILLO HOSPITAL DISTRICT
FOR THE FISCAL YEAR OCTOBER 1, 2017 TO SEPTEMBER 30, 2018.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 10: Mayor Nelson presented a resolution suspending SPS's proposed effective date in the Statement of Intent to raise rates from September 25, 2017 for 135 days until February 7, 2018. This item was presented by Jared Miller, City Manager. Wes Reeves, 2117 South Harrison Street, thanked the Council for their action and knowing it was very critical. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned resolution be passed:

RESOLUTION NO. 09-12-17-2

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS SUSPENDING SOUTHWESTERN PUBLIC SERVICE COMPANY'S PROPOSED EFFECTIVE DATE IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT AUGUST 21, 2017; CONTINUING THE CITY'S PARTICIPATION IN THE ALLIANCE OF XCEL MUNICIPALITIES; DIRECTING THE ACTIVITIES OF LAWYERS AND CONSULTANTS RELATED TO SPS'S RATE PROCEEDINGS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; REQUIRING SPS TO PROVIDE PROOF OF PUBLICATION OF NOTICE; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 11: Mayor Nelson presented a resolution to adopt a new fee schedule for services performed at the Department of Public Health. This item was presented by Casie Stoughton, Public Health Director. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned resolution be passed:

RESOLUTION NO. 09-12-17-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO SETTING FEES FOR SERVICES PERFORMED BY THE DEPARTMENT OF PUBLIC HEALTH; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 12: Mayor Nelson presented a resolution approving the application for the 2017 JAG Grant and the related Interlocal Agreement with Potter County. Under the terms of the grant, the City of Amarillo will apply for \$101,198.00 and will allocate the grant proceeds on an equal basis with Potter County. The Amarillo Police Department will use \$50,599.00 which is the City's portion of the grant to purchase computer equipment for patrol cars. This item was presented by Ed Drain, Police Chief. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 09-12-17-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO,

TEXAS: AUTHORIZING 2017 APPLICATION FOR EDWARD BYRNE JUSTICE ASSISTANCE GRANT; AUTHORIZE INTERLOCAL AGREEMENT TO SHARE GRANT FUNDS WITH POTTER COUNTY; AUTHORIZING ADMINISTRATIVE ADJUSTMENTS TO DOCUMENTS AS NEEDED; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 13: Mayor Nelson presented a resolution authorizing the City of Amarillo to revise the grant application to the Federal Transit Administration (FTA) for fiscal year 2017-2018 for the full FTA apportionment of \$3,278,528. A public hearing was conducted on July 25, 2017 authorizing an FTA grant application of \$2,891,534. The City of Amarillo funds required to match the original FTA grant was \$2,350,923 and \$369,039 in TXDOT support. The City of Amarillo portion has been adjusted to \$1,987,050. We are able to take advantage of a provision that allows the City to use 10 percent of the total FTA allocation (\$3,278,528) to pay for Non-Fixed Route ADA (Spec Tran) Service at an 80/20 match. We shifted other allowable costs (Janitor Expenses) from Operating to Preventive Maintenance to further reduce the local funding requirements. This item was presented by Marita Wellege-Reiley, Transit Director, Motion was made by Councilmember Hays, seconded by Councilmember Powell, that the following captioned resolution be passed:

RESOLUTION NO. 09-12-17-5

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS; AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR A GRANT UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT OF 2015, AS AMENDED; USING THE ADJUSTED AMOUNTS

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 14: Mayor Nelson presented an item approving a TxDot offer to Purchase Parcel 7 (City of Amarillo Well #425) which consists of 39,701 square feet located on the North Side of FM 2186 (West Hollywood Road) ±3,050' West of South Soncy Road at a cost of \$809,258.00. This item was presented by Floyd Hartman, CIP Director. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that this item be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Mayor Nelson advised that the meeting was adjourned.

ATTEST:


Frances Hibbs, City Secretary


Ginger Nelson, Mayor